

15

26.10.16

Both accused persons are present.

Ld. Adv. For the accd. and Ld. Prosecutor for Electiricty Board are also present.

Hd. Both sides. Perused the record as a whole I find that this Cosurt has been pleased to frame Charge against the accused u/s 304 of I.P.C along with 135 of I.Electricity Act.

Fact remains the Prosecutor of the Electricity Board cosnducted the case but Ld.P.P does not knew anything about the case,thugh he has an obligation to conduct the case. Since which the Charge has been framed against the accused u/s 304 of I.P.C many witnesses have already been examined without the CD of the case. CD is not available to the Ld.P.P of this Court. Since without CD all the witnesses have been examined I think the matter should be heard denovo. In this respect case is adjourned. Ld. Proecutor for Electiricty is directed to hand over CD to Ld.P.P,Darjeeling so that he may conduct the caase properly. Case is taken off from the stage of evidence.

To 1.12.16 for appearance of the accd. And supply of CD to the Ld.P.P,Darjeeling by the Prosector for Electiricty.

Additional Sessions Judge,
2nd Court,Dlg.