

Spl (C) 66 of 2016 (Reg. No. 98 of 2016)
CNR No. WBDJ 010008242016
State Vs Mukesh Hari @ Harizan
Siliguri P.S case No. 380/16 dated: 24.05.16 u/s 363/365/376 of IPC 4of POCSO Act

Order No. 61 Dated: 06.12.2024

Today is fixed for appearance of accused person and evidence.

Ld. Advocate for accused is present.

Accused Mukesh Hari on bail is absent by a petition under Section 317 of Cr.P.C.

Ld. Counsel for the accused submits that the accused could not appear before this Court on the ground stated in the petition. Ld. Lawyer for the accused prays for dispense with personal attendance of the accused and to permit him to represent the accused during recording of the evidence u/s 317 Cr.P.C in absence of accused. Ld. Lawyer further submits that he will not challenge the identity of the accused person during trial.

Heard both sides. Considered. Prayer is allowed.

Ld. Counsel for the accused is permitted to represent the accused person u/s 317 of Cr.P.C.

Ld. Special P.P is present and submitted that no witness is present today.

Ld. Lawyer for accused submitted that 7 witnesses have been examined, this case is for the year 2016 and prays for to pass strict order.

On perusal of case record it appears that 7 witnesses were examined including victim girl. This is case u/s 365 of IPC and u/s 4 of POCSO Act. Rest witnesses who are cited in charge sheet are required to be examined for just decision of this case.

Considering above this Court is of opinion that rest witnesses are required to be examined.

Issue summons to CSW Nos. 9, 10 and 11 through Controlling Officer of their department.

Issue fresh summons to CSW Nos. 4 and 5.

Fix **18.03.2025** for evidence of CSW Nos. 4 and 5.

Fix **19.03.2025** for evidence of CSW Nos. 9 and 10

Fix **20.03.2025** for evidence of CSW No. 11.

Accused is directed to remain present on the above mentioned dates.

I/C, Siliguri P.S is directed to serve summons to the witnesses and sent return of service to this Court on or before 18.03.2025.

I/C, Siliguri P.S is further directed to produce seized alamats of this case on the above dates fixed for evidence.

Copy of this order along with summons be sent to I/C, Siliguri P.S for compliance.

Sd/-
Judge, Special Court
Under POCSO Act, 2012, Darjeeling.