

**GR 238/11 (new) 395/14**

**Order No:44**

**Dated: 08.09.15**

**Accused on c/b is present.**

**no witness turns up. Record shows this case is being dragged for examination of I/O namely Sujit Das and inspite of issuing repeated direction for his appearance through Court Inspector, Sadar Court, Darjeeling as well as S.P. Darjeeling no good is received till date and case is being delayed in disposal only for his examination.**

**Record further shows inspite of receiving summons the witness on various occasions sent message on various pretext to avoid appearance in court and examination and the fact of sending message is a presumption that he had the knowledge of this case and to be examined as a witness. In this circumstances I do find that without issuance of coercive process the witness never turns up. Accordingly issue W/W of Rs 500/- against witness Sujit Das to secure his attendance as an witness for the interest of disposal of this case.**

**Fix 05.10.15 for further evidence and E/R of W/A.**

**Issue W/W of Rs 500/- against witness SI Sujit Das.**

**Let a copy of this order be sent to Court Inspector, Sadar Court, Darjeeling and SP, Darjeeling for information and taking necessary action.**

**D & C by me**

**Chief Judicial Magistrate  
Darjeeling**

**Chief Judicial Magistrate  
Darjeeling**