

Spl. 08 /2023

Order No. 28
Dt. 18.10.2024.

Sole accused Rakesh Rai is produced from J/C. His Ld. Lawyer is present .

Ld. Spl. PP in charge is present.

Ld. Defence Counsel files a petition praying for issuance of summons upon some of the persons whom the accused intends to examine as defence witness. Copy served.

Hd.both sides.Ld. Defence counsel submits that as all those persons are Govt. employees so summons be issued to them for adducing evidence in this case.

On the other hand Ld. Spl.PP.in-charge raises vehement objection by stating that no specific particular of those intended witnesses has been mentioned and prays for rejection of the defence petition.

Perused the CR and the impugned petition. Considered.

It transpires from the impugned petition that the same simply speaks mentioned about the name of the intended witnesses without giving the entire particulars of their employment or how they are relevant with the case in hand.

That apart,CR reveals that previously also similar petition was filed specifying the name of the same persons to be examined by the accused but although same was allowed by this Court but defence failed to examine them. Moreover, considering the fact that the accused is provided with the opportunity to adduce witness after his examination U/S 313 Cr.p.c. on 19.07.2024 but he failed to examine any other person as defence witness except himself.

Having considered the cryptic nature of the impugned petition as well as the above facts and circumstances, I find no merit in the said petition and thus the same stands rejected. However, accused is provided further opportunity to adduce evidence as last chance on the date fixed for the interest of justice.

Accused is remanded to J.C till 22.11.2024.

To **22.11.2024** for production and defence evidence as last chance i.e.argument.

D/c by me

SD/-
(Shri Sujit Kumar Mehrotra)
Special Judge POCSO Ksg.