

ST 01/July/24
SC 36/22

Order No. 36 dt.05.01.26

The instant case is fixed today for evidence of C.S.W No. 15.

Sole accused person is virtually produced from J.C

Ld. P.P i/c files hazira of C.S.W-15.

C.S.W-15 is examined in chief as P.W-13 & cross examined in full.

During his examination in chief the C.D is marked as **Mat Ext P-1**.

No other witness is present.

At this stage Ld P.P I/c files a petition along with a prayer for recalling the witness being no P.W-6 Subhas Khamaru as he wants to tender seized alamath i.e. blood stained clothes, weapon which was forwarded for forensic examination and later returned to the P.S.

Copy served.

Ld. Advocate for the accused raised strong objection and he has further filed an application stating thereby that copy of the FSL report has to be supplied upon the accused otherwise he will not be in a position to cross-examine CSW No.16.

Heard and considered the same.

The articles, the prosecution wants to tender in evidence were received by the prosecution afterwards and it is relevant and necessary to prove his case. However, the prayer made by and on behalf of the accused depends on the probability whether the prosecution had received the FSL report or not and whether he wants to rely on the said report or not. As the FSL report has not brought within the concern of this court, this court cannot pass such an absurd order at this stage.

Accordingly the prayer for recall of P.W6 is allowed on contest, issue summons accordingly.

The prayer made by the defence counsel is rejected at this stage.

To date i.e 09/01/26 for evidence of P.W-6 & C.S.W No. 16.

Ld P.P I/c is directed to produce the witness on the date fixed.

Dictated & corrected by me

Addl. Sessions Judge
F.T.C, Chandernagore, Hooghly

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