

S.T.46/13.

Order No.65 dt.08.04.16.

All four accused persons are produced from correctional home. Both defence advocates and Ld. Special PP are present. One witness namely Sanjoy Gupta is also present and he is examined in chief as PW-7. Documents marked exbt. Exbt. 12, 13, 13/1 & 13/2 & 14.

At this stage an application is filed by the defence advocates u/s 231(2) CrPC praying for deferring the cross examination of PW-7 till the examination C S witness Bittu Kumar Singh. Considered the submissions of both sides. Those witnesses are close related.

If the cross examination of witness Sanjoy Gupta is not deferred till the examination of witness Bittu Kumar Singh and the defence is compelled to cross examine those witnesses before examination in chief of such other witness are complete then the defence will be highly prejudiced as the entire defence would be disclosed and the prosecution will get opportunity to fill up the lacunae in their case that may be revealed during cross examination.

In view thereof, petition u/s 231(2) CrPC under consideration is allowed. Cross examination of PW-7 and C S Witness Bittu Kumar Singh is deferred till the completion of their examination in chief.

Case is adjourned for further evidence.

Fix 11.04.16 for further evidence. Prosecution to take steps for production of witness Bittu Kumar Singh for his examination in chief.

Accused persons are remanded to correctional home till 11.04.16. .

D/C

ASJ

Addl. Sessions Judge, 2nd Court, Howrah.