

Special 125 of 2016
J.O. Code WB00740

Order No.47
Date: 05-08-2025

Accused on Court bail is present.

Ld. PP in charge and Ld. Lawyer for the accused are also present.

Today is fixed for hearing of petition dated 26-06-2025 submitted by the I.O through Ld. Special PP. The said petition is taken up for hearing.

Heard submissions of Ld. Lawyer of both the sides.

Perused the petition and other materials on record. Considered.

It appears from the record that while examination in chief of the I.O, namely, S.I, B.P Lama, Prosecution relied upon certified to be true copy of the C.D. which was objected to by the Ld. Lawyer for the defence. According to the Ld. Special PP that original CD is misplaced and that is the reason, the photocopy of the C.D is certified as true copy by the Superior Officer. The contention of Ld. Special PP is highly objected by the Ld. Lawyer for the defence.

In the provisions of Police Regulation of Bengal, it is stated that the CD must be prepared in duplicate manner and a copy of CD must be preserved in the office of the Circle Inspector and also in the Office of the SDPO but that duplicate copy is not placed before the Court at the time of evidence of the I.O.

Ld. Special PP has relied upon the certified to be true copy endorsed by the SDPO on 04-08-2025. Question automatically come, if the duplicate CD is not available, on what basis the SDPO endorsed it as certified to be true copy on 04-08-2025.

Accordingly, the petition of the I.O has got no merit and same is rejected.

The I.O is directed to produce the duplicate CD in terms of Police Regulation of Bengal by the next date.

To **11-11-2025** for further evidence of PW-4.

Dictated & corrected by me: -

Additional District Judge,
3rd Court, Jalpaiguri.

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