

SC-310 of 2014
GR Case No.78(1)12
Ref: Kurseong P.S Case No.56/12 dated 19.04.2012

Order dated 10.11.2016

Accused Subhankar Sarkar on court bail is present by filing hazira.

Ld. PP in charge is present and files rejoinder to the petition dated 16.08.2016 filed on behalf of the accused person.

Copy supplied.

The petition dated 16.08.2016 filed on behalf of the accused person is taken up for hearing along with the rejoinder filed today.

Heard Ld. Advocate for both sides at length.

Perused the petition dated 16.08.2016, rejoinder filed today and the materials on record.

Considered.

I find that the defence has prayed for barring the investigating agency to submit supplementary charge sheet and commence the trial on the basis of the materials already on record. It is the clear provision of law (Section 173(8), Cr.PC) that court cannot debar the prosecution to file supplementary charge sheet at any stage of the trial of a case. The case was going to be fixed for trial, but for filing this petition dated 16.08.2016, today was fixed for hearing of the said petition. Accordingly the petition dated 16.08.2016 filed by the defence side requires to be rejected and the same is accordingly rejected.

On the prayer of Ld. Special PP and Defence,

Fix 13.01.2017 for evidence of CSW1 Arindita Sarkar.

Issue summons accordingly.

Dic & Contd by me

Additional District & Sessions Judge,
Mal, Jalpaiguri.

Additional District & Sessions Judge,
Mal, Jalpaiguri.