

S.T. 29(8)2014

In the Court of the Ld. Addl. Sessions Judge, FTC 3rd Court, Basirhat.

Present:-

Sri Sanjay Naskar(**WB01025**)

Addl. Sessions Judge, F.T.C. 3rd Court, Basirhat.

Order no. 95 dt. 25.07.2024

Accused Pallab Das is produced from J.C. Accused Urmila Das is absent by petition and represented u/s 317 of Cr.P.C. The witness Kartick Patra is present. He is examined, cross-examined and discharged. The seized alamat is produced. The paper label of FSL appearing on the seized alamat is marked Exhibit-P1. The seized Dao is marked Exhibit-MO1. The paper label appearing in torn envelop is marked Exhibit P2. Paper label marked as 'A' which was affixed on the Dao is marked Exhibit-P3. After cross-examination P2 is discharged. Let the seized alamat be put in the same packet which is bearing the marking of Exhibit P1, P2 & P3 and be returned to the Constable 1168 Sovan Bose of Sandeshkhali P.S. on proper acknowledgment for safe custody. Prosecution prays time for evidence. Prayer is allowed.

Prosecution has filed a petition u/s 311 of Cr.P.C. praying for re-examination of PW-1. The instant petition is taken up for hearing.

The Ld. P.P. in charge submitted that inadvertently the FIR has not been marked Exhibit. So, re-examination of PW-1 is necessary.

The Ld. Advocate for the accused raised objection and submitted that to fill up the lacunae the prosecution has filed the instant petition. So, he prays for rejection of instant petition.

Heard both sides. Perused the record.

It appears from the record that PW-1 lodged the FIR and he put his signature thereon and he was examined as PW-1 but the signature of PW-1 on the FIR was not admitted in evidence. For proper adjudication his signature should be allowed to be introduced in evidence. So, the prayer of the prosecution is allowed. Let PW-1 be re-examined for the purpose of introducing his signature appearing on the FIR in evidence.

Thus this petition is disposed of.

To 23.09.2024 for re-examination of PW-1 and examination of CSW-2, 3.

To 24.09.2023 for evidence of CSW- 4,5.

To 25.09.2024 for evidence of CSW-6,7.

Dictated & Corrected by me.

Addl. Session Judge,
Fast Track 3rd Court, Basirhat.

Sanjay Naskar.
J.O.Code WB01025
Addl. Session Judge, Fast Track
3rd Court, Basirhat.