

**Sessions Case No. 95 of 2013
CNR WBUD01-002051-2013
J.O Code WB 00700**

**Order No. 144
Dated 18.11.2025**

The case is posted for hearing of an application dated 24.07.2025 filed by the prosecution.

Prosecution files hazira through Public Prosecutor Mr. Jiaur Rahaman.

Out of 13 accused persons, five are present and rest are represented u/s 317 of Cr.P.C.

Heard the submission over the application dated 24.07.2025 filed by the prosecution.

Defence raised no objection.

It appears from the petition and record that initially charge was framed u/s 302/201/34 of IPC and thereafter 16 witnesses were examined. However, some error was detected and on 04.09.2017, charge was altered and thereafter 15 witnesses examined. But the prosecution failed to produce Sri. Sujit Kumar Mallick, Jr. Scientific Officer of CFSL after alteration of charge on 04.09.2017. However on careful perusal of record, it appears to me that said witness has been examined as PW-15 on 30.10.2017.

From the application of the prosecution, it appears that this witness was examined before alteration of charge and thereby prosecution intends to adopt the said evidence and defence has also raised no objection.

However considering the entire situation, it appears to me that CFSL expert was examined after alteration of charge and thereby I think there is no need for adoption of the said evidence. However that evidence will be used automatically to conclude the trial, moreover the defence has raised no objection in this regard. Accordingly, the petition filed by the prosecution is hereby rejected. However, prosecution is directed to take any steps if required, or permitted to make prayer before this Court for closure of this case.

Fix 15.12.2025 for necessary steps by the petitioner.

D/C by me

Sessions Judge,
Uttar Dinajpur

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Uttar Dinajpur