

C.R.R. 2299 of 2021

**Pradyut Ghosh
Vs.
The State of West Bengal**

**Ms. Karabi Roy
..... For the petitioner.**

**Md. Anwar Hossain,
Ms. Sreyashee Biswas
..... For the State.**

Learned Advocate on behalf of the State appears.

Proper authority is requested to regularize the appointment of Md. Anwar Hossain and Ms. Sreyashee Biswas learned Advocates.

Learned Advocate on behalf of the petitioner appears and submits in support of the revisional application that this revisional application involving an offence under Sections 341/326/307 IPC and there are two injured witnesses. It is submitted that one application was filed before the learned Trial Court for examining the two injured witnesses. Learned Trial Court after hearing both sides passed an order rejecting the application on the ground that those two injured witnesses were not cited in the charge-sheet and considering the discretion of the prosecution the application filed by the petitioner was rejected. Today, learned Advocate on behalf of the State submits a report of I.O. The report speaks that supplementary charge-sheet has been filed including the two injured witnesses as C.S. witness and it is

reported that the names of those injured persons were somehow omitted unintentionally in C.S.

Learned Advocate on behalf of the State submits that there will be no objection if two injured witnesses are examined first.

From the impugned order, it is found that the learned Trial Judge refused the prayer on the ground that those injured witnesses were not included in the C.S.

Considering all facts and circumstances, specially in this altered situation, the learned Judge, 3rd Fast Track Court Nadia, Krishnagar is requested to examine injured witnesses first and thereafter examine other witnesses of this case as per provisions of law.

The learned Judge is also requested to defer the cross-examination of P.W.-1 till examination and cross-examination of two injured witnesses.

Thus, the impugned order dated 28th September, 2021 passed by the learned Additional Sessions Judge, F.T.C. III, Krishnagar, Nadia, stands quashed.

Accordingly, the revisional application stands disposed of.

Report filed in Court today be retained with the record.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Bibhas Ranjan De, J.)