

19.09.2023
Item no. 26
Ct.34
(Suvendu)

C.R.R. 728 of 2023

In the matter of :- Saumya Mining Limited

... Petitioner

Mr. Rohit Das
Mr. Indradip Das
Mr. Kishwar Rahman
Mr. Preetam Majumdar

.....for the Petitioner

Md. Anwar Hossain

...for the State

The petitioner is directed to serve a copy of this revisional application upon Md. Anwar Hossain, learned advocate, who ordinarily appears on behalf of the State. His appearance may be regularized by the concerned authority.

The petitioner has prayed for setting aside of the order dated 22nd December, 2022 passed in Complaint Case No. 34494 of 2015.

The grievance of the petitioner is in respect of an application under Section 311 of the Cr.P.C. being allowed which was preferred by the complainant. The observations of the learned Magistrate is that by way of filing of the application under Section 311 of the Cr.P.C. the complainant intended to mark the affidavit-in-chief as an exhibit.

Except the affidavit-in-chief, if any evidence, both oral and documentary, is placed before the Court, the accused petitioner will be entitled to cross-examine the said witness. If required on any issue any contradiction has been left out in respect of the affidavit-in-chief the accused petitioner will be allowed to cross-examine the same.

With these observations, CRR 728 of 2023 is disposed of.

Pending connected application, if any, is also disposed of.

All parties to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Tirthankar Ghosh, J.)