

22.01.2025
rc/ct.no.34
Item No.35

CRR No.07 of 2025

**In the matter of : Ananda Maity @ Ananda & Ors.
.....Petitioners**

Mr. Amit Ranjan Pati
Mr. Swastika Chowdhury ...for the Petitioner

Mr. Debasish Roy
Mr. Saryati Dutta
Ms. Sreemayi Roy ...for the State

Mr. Pravas Bhattacharjee ...for the O.P.No. 2

The petitioner is aggrieved by the order passed by the learned Additional District and Sessions Judge, 6th Court, Paschim Medinipur on December 20, 2024 in Sessions Trial No. 36(11) of 2016 turning down the prayer of the petitioner for examining the doctors who signed on the inspection memos dated December 18, 2015 and December 21, 2015 respectively. The petitioner seeks to bring these documents on record and submits that they are extremely relevant for the purpose of rebutting the case made out by the prosecution.

Learned counsel for the private opposite party submits that the petitioners may be allowed to examine the said doctors on the next date of hearing fixed before the learned Trial Court on January 27, 2025.

Learned counsel for the State opposes the prayer and submits that since only an old superficial burn injury was found on the first petitioner upon examination, the inspection memos

dated December 18, 2015 and December 21, 2015 are not relevant for the purpose of adjudication of the case.

It appears from the evidence of DW-2 Dr. Subhas Chandra Kamdar who was the Block Medical Officer of Health at Sabang Rural Hospital on December 13, 2024 that this witness was able to identify the signature of Dr. Kamal Bhuniya of the said hospital in the inspection memo dated December 17, 2015 and December 19, 2015. However, he was not able to identify the signatures in the inspection memos in question.

In view of the above, this Court is inclined to hold that since the petitioners intend to bring the inspection memos dated December 18, 2015 and December 21, 2015 on record, the prosecution be directed to produce the said memos before the Court on January 27, 2025. The said inspection memos shall be admitted in evidence upon formal proof thereof being dispensed with. The evidentiary value of the said documents shall be dealt with by the learned Trial Court at the appropriate stage of the proceedings.

With the above observations and directions the revisional application being CRR No. 7 of 2025 is disposed of.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh,J)