

**IN THE COURT OF ADDL. DISTRICT & SESSION JUDGE, AIZAWL**

CrI. Misc. Appln. No. 69/14 in S.R. No. 220/11

u/s 5(1)(a)(b)(c)(d) ITP Act R/w 342/366A/372 IPC R/w 23/26 JCPC

State of Mizoram : Petitioner

Versus

Satyawan & Ors. : Respondent

Date of Order : 20.06.2014

**PRESENT**

*Smt. Helen Dawngliani, AD& SJ*

**APPEARANCE**

For the Petitioner : Rose Mary, Addl. PP

For the Respondent : W. Sam Joseph, Advocate

**ORDER**

This Application u/s 91 CrPC have been filed for submission of Birth Certificate and Temporary Residential Certificate which are shown against Sl.No.9&10 of List of Enclosures in the Charge Sheet but not found in the record.

Mrs. Rose Mary, the Id. Addl.PP submitted that as the said documents were already part of the record, no prejudice would be caused if they are allowed to produce the said documents and placed them on record.

On the other hand, Mr. W. Sam Joseph, the Id. Defence Counsel objected by submitting that though the said documents have been mentioned amongst the list of enclosures to the Charge Sheet, they not been found on the record, it would not be proper at this stage to submit such documents.

Heard the Id. Counsels and perused the records. It is seen from the record that such documents have been mentioned as enclosures in the Charge Sheet. Somehow such documents could not be traced on record. The documents having been already mentioned in the Charge Sheet, I do not see any reason why their submission would prejudice the defence in any manner. On the other hand, the said documents being part of the record would help in the appreciation and adjudication of the case.

Accordingly, the application is allowed. The Id. Addl.PP shall enclosed those two documents to the Charge Sheet and also furnished sufficient copies to the accused persons.

With the above Order, the application stands disposed of.

**Sd/- HELEN DAWNGLIANI**

Addl.Dist & Sessions Judge,  
Aizawl Judicial District, Aizawl.

**Memo No. AD & SJ/2014 : Dated Aizawl, the 20<sup>th</sup> June, 2014.**  
**Copy to :**

1. Satyawan & Ors. through Counsel Mr. W. Sam Joseph, Advocate.
2. Mrs. Rose Mary, Addl. PP.
3. Registration Section.
4. Guard File.
5. Case Record.
6. Calendar Judgment.

**P E S H K A R**