

**IN THE COURT OF THE ADDL.DISTRICT AND SESSIONS JUDGE
AIZAWL JUDICIAL DISTRICT : AIZAWL**

Criminal Interlocutory Appln. No. 3/2016
A/o CrI. Tr. No. 1080/14 u/s 376(2)(I) IPC

BEFORE

Sh. Vanlalenmawia
Addl. District & Sessions Judge

State of Mizoram

Versus

Lalmangaihsanga : Accused

Date of Order : 18.1.2016

ORDER

Seen application u/s 311 of Cr PC filed by Addl. PP for examination of Lalramsanga, Judicial Magistrate First Class, Aizawl who had been already drop by this Court.

The application is registered as Criminal Interlocutory Application No. 187/2015.

As both the Id. Counsels appearing for the rival parties are ready to have hearing, I have heard them.

The submission of the Id. Addl. PP is that though Lalramsanga is not cited as witness in the list of charge sheet, he has made a prayer to examine him since he is vital to the case.

On the other hand, the Id. Counsel Sh. S.L. Thansanga appearing for the accused has strongly objected since the prayer for calling proposed witness Sh. Lalramsanga is initiated by the prosecution at a belated stage. The Id. Counsel further submits that hearing on the case is over at this stage.

In the interest of justice, Sh. Lalramsanga, Judicial Magistrate First Class, Aizawl shall be called to give evidence, as I do not find that the provision u/s 311 of Cr PC has not debarred from calling him as witness. Hence, the application filed by the Id. Addl. PP is allowed.

The application is disposed off.

Sd/- VANLALENMAWIA
Addl. District & Sessions Judge
Aizawl Judicial District : Aizawl

Memo No _____ AD&SJ/2016 : Dated Aizawl, the 18th January, 2016
Copy to:-

1. Accused Lalhmangaihsanga through Counsel Sh. S.L. Thansanga, Advocate.
2. Ld. Addl. PP / APP.
3. Sessions Judge, Aizawl Judicial District, Aizawl.
4. Registration Section, District Court, Aizawl.
5. Guard File.
6. Case Record.
7. Calendar Judgment.

P E S H K E R