

S.T. NO.01 (09) OF 2024
SESSIONS CASE NO.31 OF 2024
CNR NO.WBCS01-473-2024
Present: Sri Soumendra Nath Das
Chief Judge, City Sessions Court, Calcutta
J.O. CODE NO.WB01132

Order No.29 dated 25.03.2025

To-day is fixed for for production of the accused persons either in physical mode or in virtual mode and further cross-examination of P.W.1 namely Indrasen Shukla and cross-examination of P.W.2 namely Deepak Shukla and P.W.3 namely Kusum Devi.

The accused person nos.(A-1) namely Suryakant Tiwari and (A-2) Indira Tiwari are produced from the J.C. in physical mode.

Ld. Counsel appointed from the LADCS, Kolkata for the accused person namely Indira Tiwari is present by filing hazira.

Ld. Counsel for the accused person namely Suryakant Tiwari and the Ld. P. Ps.-in-charge are present.

A petition has been filed on behalf of the accused person namely Indira Tiwari stating that the mobile phones of the accused and victim were seized on 27.10.2023 vide seizure list dated 27.10.2023 by the I.O. of this case bearing item no.1 and 2 as seized articles with IMEI-862628064825057/86262804825040 and IMEI-867662057748229/867662057748237 respectively.

Ld. Counsel for the accused person further stated in the petition dated 25.03.2025 that FSL report with the details of the SIM cards (IMSI numbers) and their corresponding numbers along with the mobile telephone operators of the respective mobile numbers be called for and the respective telephone operators may also be directed to furnish the CDRs and CAFs of those two mobile connections from the month of May, 2023 to October, 2023 which are very essential material evidence required for the just decision of the case and therefore the Ld. Counsel prays for passing necessary direction as sought for in the petition dated 25.03.2025.

Copy served as per the endorsement.

Let the same be kept with the record.

P.W.1 namely Indrasen Shukla is present before this Court.

In presence of both sides the record is taken up for recording of cross-examination of P.W.1. on consent of both sides. I find that the prayer of the accused persons for allowing of cross-examination of P.W. 1, P.W. 2 and P.W. 3 together was allowed by this Court on 12.11.2024 a per the provisions of section 231(2) Cr. P.C.

P.W.1 namely Indrasen Shukla is further cross-examined **in part** by the Ld. Counsel appointed from the LADCS for the accused person no.(A-2) Indira Tiwari.

It is now 03:00 p.m.

This Court has already fixed the Sessions Case No. 23 of 2023 for hearing and recording of evidence at and from 3:00 p.m. to 05:00 p.m. as per the solemn direction of the Hon'ble Apex Court in connection with TRANSFER PETITION (CRIMINAL) 409/ 2021 as well as the solemn direction of the Hon'ble High Court, Calcutta in connection with C.R.M (DB) 3916/ 2023.

Accordingly, the case is adjourned today due to paucity of time for the ends of justice at this stage.

As per Gazette Notification dated 15.07.2022, the certified true copy of the deposition of P.W-1 dated 25.03.2025 is handed over to both sides i.e. the prosecution as well as the Ld. Defence Counsel after obtaining endorsement in the relevant register.

Let a date be fixed for hearing of the petition dated 25.03.2025 filed by the accused person namely Indira Tiwari.

To-date i.e. on **27.03.2025** for hearing of the petition dated 25.03.2025 filed on behalf of the accused person namely Indira Tiwari.

Written objection, if any, in the meantime.

To-date i.e. on **26.03.2025, 27.03.2025, 28.03.2025, 01.04.2025** and **02.04.2025** for production of the accused persons either in physical mode or in virtual mode and further cross-examination of P.W.1 namely Indrasen Shukla and cross-examination of P.W.2 namely Deepak Shukla and P.W.3 namely Kusum Devi.

To-date i.e. on **26.03.2025** for production of both the accused persons.

Prosecution is directed to take steps to ensure attendance of the witness, P.W.1 namely Indrasen Shukla on the next date fixed for adducing further evidence.

Let a copy of this order be sent to the I.O. of this case through the concerned O/C for information.

D/C by me.

Sd./-

Chief Judge
City Sessions Court, Calcutta

Chief Judge
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