

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.15 dated 10.02.2025

To-day is fixed for production of the accused persons and cross-examination of P.W.1 namely Indrasen Shukla, P.W.2 namely Deepak Shukla and P.W.3 namely Kusum Devi.

Received one copy of report from the Superintendent of Presidency Correctional Home, Alipore, Kolkata-27 vide letter no.1947/AB dated 09.02.2025 with regard to production of the accused person no. (A-1) namely Suryakant Tiwari in virtual mode.

Let the same be kept with the record.

The accused person nos. (A-1) namely Suryakant Tiwari and no.(A-2) namely Indira Tiwari have not been produced before this Court from J.C. either in physical mode or in virtual mode.

It is submitted by the System Officer of this Court that due to some technical glitch the concerned Correctional Home Authorities could not be connected through the virtual mode.

Received one report from the Superintendent of Presidency Correctional Home vide letter no.1990/AB dated 10.02.2025 stating that the accused person no. (A-1) namely Suryakant Tiwari could not be produced before this Court in virtual mode due to network issue.

Received one copy of report from the Superintendent of Alipore Women's Correctional Home vide letter no.534/AB dated 10.02.2025 stating that the accused person namely Indira Tiwari could not be produced before this Court in virtual mode due to some technical glitch.

Let those be kept with the record.

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.

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

In view of the non production of both the accused persons (A-1) namely Suryakant Tiwari and no.(A-2) namely Indira Tiwari before this Court from the J.C. either in physical mode or in virtual mode, this Court has no other alternative but to adjourn the matter today.

Accordingly, the case is adjourned today for the ends of justice.

A petition has been filed on behalf of the accused person namely Indira Tiwari praying for a direction upon the Prosecution to supply copies of all following documents, statements and material evidence collected during the investigation to the accused persons as per the order and Judgement dated 20.04.2021 of the Hon'ble Supreme Court of India in Suo Moto Writ (Crl.) No.1/2017:

- i) Forensic Examination report dated 10.01.2024 of the alleged place of occurrence inspected on 19.10.2023 (only one page has been supplied),
- ii) 18 numbers of Photographs of the place of occurrence and the victim (only some illegible photocopy on A4 pages were given),
- iii) Copy of the legible plan,
- iv) Complete copies of the collected call details record (CDR) and customer application form (CAF) of the mobile connection of the victim, her family members and the accused persons which were collected from the respective telephone operators, especially the CDR of mobile number 78808-20516,
- v) Legible copy of the inquest report and
- vi) FSL report in connection with the mobile phone of the deceased victim and the accused persons.

Let the same be kept with the record.

P.W.1 namely Indrasen Shukla is released today without examination.

To-date i.e. on **11.02.2025, 13.02.2025, 14.02.2025, 17.02.2025** and **18.02.2025** for production of the accused persons either in physical mode or in virtual mode, hearing of the petition dated 10.02.2025 filed on behalf of the accused person namely Indira Tiwari praying for supplying copies of some documents and cross-examination of P.W.1 namely Indrasen Shukla, P.W.2 namely Deepak Shukla and P.W.3 namely Kusum Devi.

Written objection, if any, in the meantime.

P.W.1 namely Indrasen Shukla is directed to remain present before this Court on the next date fixed for adducing further evidence.

Let a copy of this order along with the true copy of the petition filed today on behalf of the accused person namely Indira Tiwari be sent to the I.O. of this case through the concerned O.C. for information and necessary action.

Let a copy of this order be sent to the Superintendent of Presidency Correctional Home for information and necessary action.

Let a copy of this order be sent to the Superintendent of Alipore Women's Correctional Home for information and necessary action.

D/C by me.

Sd./-

Chief Judge
City Sessions Court, Calcutta

Chief Judge
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