

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.07 dated 14.11.2024

To-day is fixed for production of the accused persons and examination of C.S.W.(XXV) namely Deepak Shukla.

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

Ld. Counsel for the accused persons and the Ld. P. Ps.-in-charge are present.

C.S. W.(XXV) namely Deepak Shukla is present before this Court by filing a copy of Aadhar Card. In presence of both sides the record is taken up for recording evidence. He is examined in chief as **P.W.2 in part**.

Further examination in chief of **P.W.2** namely Deepak Shukla is deferred on the prayer of the Ld. P.P.-in-charge.

As per Gazette Notification dated 15.07.2022, the certified true copy of the deposition of P.W-2 dated 14.11.2024 is handed over to both sides i.e. the prosecution as well as the Ld. Defence Counsel after obtaining endorsement in the relevant register.

Ld. Defence Counsel submits that no copy of statement u/s 161 of Cr. P.C. of the P.W.2 namely Deepak Shukla has been supplied to the accused persons.

Ld. Defence Counsel also pointed out to this Court that the 161 Cr. P.C. statement of the mother of the deceased has not been supplied to them and therefore prays for a direction upon the I.O. of this case to supply copies of those documents to the accused persons.

In reply, Ld. P.P. submits that those statements have not been furnished by the I.O. of this case to the conducting Ld. P.P and for which she is unable to hand over the same to the defense side.

At this juncture, a petition has been filed by the Ld. P.P.-in-charge stating that the I.O. of this case namely Sub Inspector Pranab Bhattacharya is not co-operating with the Ld. P.P.-in-charge and he does not remain present before this Court on the dates fixed for trial of this case before this Court and for which prosecution is being prejudiced and therefore Ld. P.P.-in-charge prays for a direction upon the Joint C.P. (Crime) to look into the matter and to direct the concerned I.O. of this case to remain present before this Court on each and every date fixed for trial.

Heard both sides.

In view of the above fact, the I.O. of this case is directed to remain present along with the C.D. before this Court on each and every date fixed for trial of this case before this Court.

The I.O. of this case is further directed to supply copies of the statements u/s 161 of Cr. P.C. as prayed for by the Ld. Defence Counsel to the accused persons in the meantime.

The Joint C.P. (Crime) is directed to look into the matter and to pass necessary directions upon the I.O. of this case to remain present before this Court on each and every date fixed for trial of this case.

On submissions of both sides, fix **19.12.2024, 20.12.2024** and **21.12.2024** for production of the accused persons and further examination in chief of P.W.2 namely Deepak Shukla and other C.S.Ws.

Re-issue the summons in the name of P.W.2 namely Deepak Shukla with a direction to remain present before this Court on the next date fixed for adducing further evidence.

Issue summons at once.

Requisites at once.

The accused persons are remanded to J.C. till date.

Let a copy of this order be sent to the Joint C.P. (Crime) for information and necessary action.

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

D/C by me.

Sd./-
Chief Judge
City Sessions Court, Calcutta

Chief Judge
City Sessions Court, Calcutta

