

Special Case No. 35 of 2020 (POCSO) (CIS NO.35/2020)
CNR NO.WBBB05-000406/2020)

Order No.41
04-07-2024

Today is fixed for appearance of accused Sahabul Sk and appearance of accused Jahlu Sk. Accused Sahabul Sk on court bail is present and files hazira. No E.R of W.A has been received in respect of accused Jahlu Sk. It appears on scrutiny of the record that warrant of arrest was issued against accused Jhalu Sk vide process no.13 dated 25-02-2022. After the lapse of more than 02 years, the matter was brought to the knowledge of the Nodal Officer for execution of warrants and for over all monitoring of trial of Sessions cases, vide Memo No. 630 dated 10-06-2024. However, it is indeed unfortunate that not only was the warrant of arrest not executed by this day, the concerned P.S has not cared to furnish non execution report. The same is view by this court with great displeasure. I would also urge the a Nodal Officer, Rampurhat to take more proactive measures to ensure that warrants within his jurisdiction do not remain un- executed for such inordinate period. This is a case u/s 25 of the Arms Act read with section 12 of the POCSO Act. Charge was framed in the year 2020. Ten witnesses have also been examined and we are nearing completion of trial. The O/C Mallarpur P.S was directed to remain personally present before this court and explain why the warrant of arrest could not be executed. Not only has he not caused execution of warrant of arrest, he has ignored the direction of the court to appear before the court with an explanation regarding non execution. If this is not an act of defiance, I wonder what is. Consequently, the O/C Mallarpur P.S is directed to cause execution of warrant of arrest issued against accused Jahlu Sk by the date fixed I.d legal consequences that he may not have contemplated, will follow.

Let a copy of this order be sent to the SDPO, Rampurhat for information and necessary action.

Let a copy of this order also be sent to the O/C Mallarpur P.S for strict compliance I.d legal consequences will follow.

To 20-08-2024 for E.R of W.A

(Dictated & corrected by me)

Judge, Special Court (POCSO)
Rampurhat, Birbhum
J.O Code No. WB00885

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