

Spl (SCST) case no. 32 of 2017
CNR-WBBD01-004802-2017

Order No. 66 dated 21/11/2025

Today is fixed for evidence of CSW nos 4, 5 & 6.

All three accused persons on court bail are present by filing their respective haziras.

No witness turned up today.

Heard Ld. Special P.P. and Ld. Advocate appearing on behalf of the accused persons.

Ld. Advocate for the accused persons submitted that the instant case was registered in the year 2017 and after framing of the charge on 06/12/2021, the prosecution failed to adduce any witness till this date. He also submitted that the de facto complainant is untraceable and accordingly, prayed for closing the evidence of PWs.

On the other hand, Ld. Special P.P. submitted before this court that despite his best endeavour, the prosecution failed to adduce any witness till this date.

Considering the rival submissions of both sides and on perusal of the record, it reveals that this is a case registered in the year 2017 against the accused persons u/s 341/323/506/34 of IPC read with section 3 (x) of SCST (POA) Act, 1989. The charge has been framed against the accused persons on 06/12/2021 and the instant case was fixed for adducing evidence by the prosecution on 14/03/2022. But it is very surprising enough that the prosecution failed to adduce a solitary witness and the accused persons have been suffering for last 8 years.

This is a case filed by a member of SCST community and it is the intention of the Legislature to protect the interest of the person who belongs to SCST community. But it is very pertinent to mention that the de facto complainant who

lodged the written complaint against the accused persons, did not choose to appear before this court since 2021 to adduce his evidence. It also reveals from the submission of Ld. Advocate for the accused persons that the de facto complainant is untraceable since long.

In the above circumstances, the prosecution is directed to take appropriate steps to ensure the presence of the de facto complainant positively on the next date fixed i.d. necessary order will be passed.

The I.O. of this case namely Debabrata Ojha, the then ACP, Traffic(III), ADPC, Dist-Burdwan(presently Paschim Bardhaman) is directed to furnish a detailed report regarding the whereabouts of the de facto complainant namely Sanjeet Ruidas, s/o Dhiren Ruidas of village- Natundanga, PS-Faridpur, Dist-Burdwan (presently Paschim Bardhaman). The I.O. is further directed to comply the order positively by the next date fixed and to file a compliance report positively by 30/03/2026.

Let the instant case be fixed for evidence of PWs which are as follows :

To 30/03/2026 for appearance of the accused persons and evidence of CSW 1, 2 & 3.

To 31/03/2026 for appearance of the accused persons and evidence of CSW 4, 5 & 6.

To 01/04/2026 for appearance of the accused persons and evidence of CSW 7, 8 & 9.

Issue summons accordingly.

Prosecution is directed to take proper steps to ensure the presence of the witnesses positively on the next dates fixed.

Accused persons as before.

Let a copy of this order be sent to the I.O. of this case by his name through the office of Police Commissionerate, Paschim Bardhaman at once. Let another copy of be sent to the Officer-in-charge, Faridpur PS for doing the needful.

D/C by me

sd/-
Judge Special Court
1st Court, Burdwan.

sd/-
Judge Special Court
1st Court, Burdwan
(JO Code WB00702)