

GR-1271/2021

Order No. 32 dtd. 31.10.2025

Today is fixed for Evidence.

PO has been transferred. Ld. ACJM, Kalna is in charge.

Accd. persons are present by filing hazirah.

Ld. APP is also present.

Ld. APP files hazirah of defacto complainant namely Atasi Biswas.

Ld. APP also files an application stating inter alia due to nonavailability of CD the prosecution is unable to proceed with this case and accordingly he prays for time.

Considering the submission of Ld. APP the prayer for time is allowed as last chance and accordingly the case is adjourned today.

Upon careful perusal of the materials on record it reveals that on earlier occasion the accd. filed a petition which has not been disposed till date. Accordingly the same is taken up for hearing and passing order.

Hd. both sides.

By filing the petition dtd. 07.08.2025 the accused persons stated that this case was initiated in the year 2021 but till date the prosecution could not adduce any evidence and accordingly the accused persons prayed for dropping this case.

This case was registered involving Section. 498A of IPC in which the procedure for warrant triable cases is required to be followed and since in this case none of the prosecution witness has adduced evidence, the stage of prosecution evidence cannot be closed.

Therefore, considering all the facts and circumstances the petition dtd. 07.08.2025 filed by the accused persons stands rejected.

The prosecution is strictly directed to search out the CD and produce the witness on the next date fixed.

To 27.01.2026 for evidence.

D/C by me

Judicial Magistrate, 2nd Court, I/C

Kalna.

J.M., 2nd Court, I/C

Kalna.