

G.R Case No:- 148 of 2020
C.I.S Registration No:- 802 of 2022

Order dated: 29.07.2024

Sole accused facing trial is present by filing hazira.

As stipulated by the previous order today is fixed for prosecution evidence.

Summons were accordingly served upon the witnesses and as a progressing action witness namely Ashima Moi have appeared before this court. They are examined by the prosecution as PW 04 and cross-examined to the full by the learned lawyer for the accused persons and discharged.

At this stage the ld lawyers for the accused persons lay emphasis on closing of prosecution evidence.

From the record it is axiomatic that the de facto complainant and three other witnesses have been examined in this case till date. The other charge sheet witnesses are not coming up; despite taking gusto efforts. It is worthwhile to mention here that as per the mandate of Constitution speedy disposal is the fundamental right of the accused persons. This court must hoist that right and must also act in accordance with section 309 of the Criminal Procedure Code 1973. Moreover from the evidences that has transpired till date, there is little prospect of this case ending in conviction and the trial would be an exercise in futility or sheer wastage of time. Hence being pioneered by the above delineations I have no dichotomy to truncate or snip the evidences for the prosecution at the stage and any other view will transgress the clear verdict of law.

Hence it is

ORDERED

That the evidence of the prosecution is closed. Let the case be fixed for examination of the accused person under section 313 of Criminal Procedure Code 1973.

Fix **14.08.2024** for examination of the accused persons under section 313 of Criminal Procedure Code 1973.

D/C by me

JM1

Raghunathpur, Purulia

Judicial Magistrate 1st Court
Raghunathpur, Purulia