

Sessions Case No. 84/2024
CNR No. WBCB01-003032-2024
S.T No. 02(04)2025
CIS No. 84 of 2024

PRESENT : Sri Rudra Prasad Ray
Additional District & Sessions Judge,
Fast Track Court, Cooch Behar

Order No. **10**
Dated: **28.07.2025**

Sole accused person on CB, namely **Sujan Das @ Mohan** is present today before this court by filing hazira.

Ld. P.P in-charge and Ld. Advocate are also present.

Today is fixed for evidence of CSW Nos. 8 & 9.

Two witnesses namely **Pushpa Rani Das and Balai Sarkar** are present today before this court by filing haziras through their Ld. P.P. in-charge.

The witness namely **Pushpa Rani Das** is examined in chief, cross examined in full and thereafter discharged as **PW-2**.

Another witness namely **Balai Sarkar** is examined in chief, cross examined in full and thereafter discharged as **PW-3**.

No other CSW is turned up today.

De-facto complainant, namely Mangal Sarkar is present physically today before this court and files a petition praying for adducing evidence in this case on the ground stated therein.

Heard. Considered.

It appears from the case record that on 12.06.2025, this witness has been expunged by this court after perusing the report submitted by ASI Swadesh Datta, Pundibari PS alongwith a certificate issued by Pradhan Ambari, G.P., who had certified that he knows the de-facto complainant and it is within his knowledge that the de-facto complainant has been residing away since long. On the basis of such a certificate, the police also submitted non-execution report and accepting the same, the name of the said witness was expunged. Now, the de-facto complainant appeared and has stated before the Court that all along, he has been residing in the address mentioned in the Charge Sheet and claims that the certificate of the Pradhan has been issued without any basis. It appears that the de-facto complainant is a very vital witness in this case and it appears that the Pradhan, Ambari G.P. has tried to keep him away from the Court. In such a situation, I find it just and proper to direct the Pradhan, Ambari G.P. to appear personally and explain as to how and from what information, he issued the certificate. Send a copy of this order to the Pradhan, Ambari G.P. directing him to appear and submit his explanation on 12.09.2025.

The following evidence schedule is now drawn up for recording the evidence of witnesses in this case.

| <u>Date</u> | <u>C.S.W.</u> |
|-------------|---------------|
| 12.09.2025 | 1 & 3. |
| 15.09.2025 | 5 & 7. |
| 16.09.2025 | 10 & 11. |

Issue summons accordingly.

To **12.09.2025** for evidence of **CSW Nos. 1 & 3** and personal appearance of the Pradhan, Ambari G.P.

Accused as before.

D/C by me.

Sd/-

Addl.Dist.Judge,
F.T.C.,
CoochBehar.

Sd/-

Additional District & Sess. Judge,
Fast Track Court,
CoochBehar.
J.O. Code:WB-00899