

Sessions Case No. 86 of 2005

Order No.149 dated 15. 11. 2017 :-

Today is fixed for further cross-examination of PW-19.

Three accused persons on CB are present by filing Hazira.

Ld.PP has filed a petition stating certain fact therein in connection with non-appearance of the second I.O. i.e. PW-19 of this case.

Heard the submission of the Ld. Defence Counsel and Ld.PP.

The submission of the Ld.PP is that the PW-19 has informed him over telephone that he will not be able to come to depose due to illness but no specific medical document is filed in support of the petition.

It also transpires from the record that the evidence of PW-19 is fixed for cross-examination since 24.02.2014 and almost 4 years has lapsed but the cross-examination of PW-19 has not been completed.

On the basis of the submission of both the Ld.PP and Ld. Defence Counsel on earlier date i.e. on 24.08.2017, a specific schedule was fixed which starts from today for three days up to 17.11.2017 as last and final chance. But from the conduct of the I.O. it appears that he has taken the matter very casually and has not complied the direction of this Court vide order dated 24.08.2017.

In my considered opinion the conduct of the I.O. (PW-19) is not at all satisfactory. The charge was framed in the year 2008 and almost 9 years has lapsed but the trial has not yet concluded. The offence involved is very serious in nature and having regard to the above factual aspects, **the I.O. (PW-19) is directed to be present on 16.11.2017 without fail i.d. necessary order will be passed.**

**To 16.11.2017 for cross-examination of I.O. (PW-19).** Accused persons are directed to be present on the date fixed without fail.

Dictated & corrected by me.

Addl. Dist. & Sessions Judge  
1st Fast Track Court

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15.11.2017