

S.T. NO.01 (09) OF 2023
SESSIONS CASE NO 51 OF 2023
CNR-WB0201-000681-2023

Present: Sri Sukumar Ray
Chief Judge, City Sessions Court, Calcutta
J.O. CODE NO.WB00590

Order No.44 dated 28.04.2025

Today is fixed for production of the accused person no.(A-2), appearance of the accused person no.(A-1) and further cross-examination of P.W.2 namely Arun Kumar Mondal.

Today is also fixed for hearing of the petition dated 20.03.2025 filed on behalf of the accused person namely Saidul Alam praying for returning the seized mobile phone OPPO A9 to the accused/petitioner together with the compliance report dated 01.04.2025 filed on behalf of the Prosecution.

The accused person no.(A-1) namely Saidul Alam is found absent by filing a petition and prays for representation of the accused person u/s 317 of the Cr. P.C. through the Ld. Counsel.

Ld. Counsel for the accused persons and the Ld. P. Ps.-in-charge are present.

Heard both sides.

Prayer is considered and allowed with a direction upon the accused person no.(A-1) namely Saidul Alam to remain present before this Court on the next date fixed positively.

The Ld. Counsel is at liberty to represent the accused person namely Saidul Alam u/s 317 of the Cr. P.C.

The accused person no.(A-2) namely Rejal Haque @ Rejaul Haque is produced from the J.C. in virtual mode.

The accused person no.(A-2) namely Rejal Haque @ Rejaul Haque is identified by the concerned Jail Authority and he expressed before this Court that he could see and hear the entire court proceedings without any technical glitch and the accused person also gave consent to take up the matter for recording of evidence.

P.W.2 namely Arun Kumar Mondal is further cross examined **in full** by the Ld. Counsel for the accused persons and thereafter he is **discharged**.

As per Gazette Notification dated 15.07.2022, the certified true copy of the deposition of P.W-2 dated 28.04.2025 is handed over to both sides i.e. the prosecution as well as the Ld. Defence Counsel after obtaining endorsement in the relevant register.

Now, the record is taken up for hearing of the petition dated 20.03.2025 filed on behalf of the accused person namely Saidul Alam praying for returning the seized mobile phone OPPO A9 to the accused/petitioner together with the compliance report dated 01.04.2025 filed on behalf of the Prosecution.

One report is received from the S.I of STF, Calcutta.

Perused the record and the report.

It appears from the record that the said article has already been marked as exhibit.

Considering the facts and circumstances of the case, it appears to me if this article be returned/handed over to the accused/petitioner it will affect the trial of this case.

Considering the facts and circumstances of the case, the petition is disposed of in the negative.

On perusal of the copy of order dated 13.06.2024 in connection with C.R.M. (DB) 1502 of 2024 it transpires that Hon'ble High Court at Calcutta was pleased to direct this Court to expedite the trial and conclude the same as early as possible and definitely within a period of six months from the next date fixed for recording of evidence.

Keeping in mind the direction of the Hon'ble High Court at Calcutta in C.R.M. (DB) 1502 of 2024, fix **19.05.2025** for production of the accused person no.(A-2), appearance of the accused person no.(A-1) and examination of C.S.W.3, Sk. Dilawar.

Fix **21.05.2025** for examination of C.S.W.4, Md. Rafique.

Issue summons at once.

Requisites at once.

The Accused person no.(A-2) is remanded to J.C. till **19.05.2025**.

The accused person no.(A-1) on Court bail is as before.

D/C by me.

Sd/-
Chief Judge
City Sessions Court, Calcutta

Sd/-
Chief Judge
City Sessions Court, Calcutta