

S.T. NO.01(07) OF 2022
SESSIONS CASE NO.15 OF 2020
(CNR - WBCS01-000301-2020)
Present: Sri Soumendhra Nath Das
Chief Judge, City Sessions Court, Calcutta
J.O. CODE NO.WB01132

Order No.63 dated 18.08.2023

Today is fixed for hearing of the petition dated 06.06.2023 filed on behalf of the accused nos.(A-2) and (A-3) and hearing of the two petitions dated 20.06.2023 filed on behalf of the accused nos.(A-2) and (A-3), one with prayer for alteration of the charges against the accused/petitioners and another for waiving of the conditions.

The Accused person nos.(A-1) and (A-10) are produced before this Court from J.C.

The Accused person nos.(A-2), (A-3) and (A-5) on Court Bail are present in Court by filing hazira.

Ld. Advocates on behalf of the Accused persons in two sets and Ld. Special P. Ps. are present.

A petition along with a net copy of case information in connection with SPL (Criminal) 7880 of 2023 registered on 03.07.2023 published on the web site of Hon'ble Supreme Court of India has been filed on behalf of the prosecution stating that the petition dated 06.06.2023 has been filed by the accused persons on the basis of the order dated 11.05.2023 passed by the Hon'ble High Court at Calcutta in CRR/3180/2023 and challenging the same order dated 11.05.2023 of the Hon'ble High Court at Calcutta, the Prosecution has preferred a Special Leave petition being SPL (Criminal) 7880 of 2023 before the Hon'ble Supreme Court of India and date of hearing of the same matter has been fixed on 01.09.2023 before the Hon'ble Supreme Court of India and therefore an adjournment has been sought for till the disposal of the above SLP before the Hon'ble Supreme Court of India.

A petition has been filed on behalf of the accused nos.(A-2) and (A-3) praying for an adjournment on the ground stated therein.

Heard Ld. Special P.P. and Ld. Advocates for the accused persons.

It reveals that no stay order of Hon'ble Court has yet been filed on behalf of the Prosecution.

Having heard both sides, prayer for time is considered and allowed for the ends of justice on consent.

Received one forwarding letter from the Superintendent of Presidency Correctional Home, Alipore, Kolkata-27 communicated vide office letter no.10200/AB dated 10.08.2023 along with one photocopy of production warrant issued by the Ld. XLIX Addl. City Civil & Sessions Judge, Spl. Judge for trial of NIA Cases, Bangaluru seeking necessary permission for production of the accused person no.(A-1) Asif Iqbal @ Nadam son of Md. Motiur Rahaman before the Court of Ld. XLIX Addl. City Civil & Sessions Judge, Spl. Judge for trial of NIA Cases, Bangaluru, Karnataka on 31.08.2023 in connection with Spl. C.594/2021 c/w. Spl. C.128/2020.

Continued....

Continued order no.63 dated 18.08.2023

In view of such fact, the Superintendent of Presidency Correctional Home is at liberty to do the needful in this regard as per provisions of Jail Code and as per Law with a direction to ensure production of the accused person no.(A-1) Asif Iqbal @ Nadam before this Court on **19.09.2023**.

Fix **19.09.2023** for hearing of the petition dated 06.06.2023 filed on behalf of the accused nos.(A-2) and (A-3) and hearing of the two petitions dated 20.06.2023 filed on behalf of the accused nos.(A-2) and (A-3), one with prayer for alteration of the charges against the accused/petitioners and another for waiving of the conditions.

The Accused person nos.(A-1 and 10) are remanded to J.C. till 19.09.2023.

The Accused person nos.(A-2, 5 and 3) are as before.

Let a copy of this order be sent to the Superintendent of Presidency Correctional Home for information and necessary action.

D/C by me.

Sd./-
Chief Judge
City Sessions Court, Calcutta

Chief Judge
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