

S.T. NO.03 (01) OF 2017
SESSIONS CASE NO.46 OF 2014
CNR NO.WBCS01-000431-2014
Present: Sri Soumendra Nath Das
Chief Judge, City Sessions Court, Calcutta
J.O. CODE NO.WB01132

Order No 14 dated 09.04.2024

Today is fixed for production of the sole accused person who is on C.B. in this case either in physical mode or in virtual mode and hearing of the petition dated 25.09.2023 filed on behalf of the accused person praying for dropping the proceedings of the instant case in view of the Judgment and decisions passed by the Hon'ble Supreme Court of India in Bikramjit Singh's case (2022(10) SCC 616) and filing Vakalatnama on behalf of the accused person.

The sole accused person who is on C.B. in this case is not produced before this Court from J.C. either in physical mode or in virtual mode.

No report regarding non production of the accused person in virtual mode is received.

Vakalatnama is filed on behalf of the accused person.

Let the same be kept with the record.

This Court has been intimated by the System Officer of this Court that the concerned authorities of Central Correctional Home, Guwahati, Assam intimated the System Officer of our Court over the phone that the accused person could not be produced today in virtual mode from the Central Correctional Home, Guwahati, Assam before this Court as the accused person has been produced today before some other local Ld. Court.

Received one report from the Superintendent of Alipore Women's Correctional Home communicated vide office letter no.1199/AB dated 08.04.2024 regarding non production of the accused person before this Court.

Let the same be kept with the record.

Ld. Counsel for the accused person as well as the Ld. Special P.P. are present.

It transpires that the petition dated 25.09.2023 filed on behalf of the accused person prayed for dropping the proceedings of the instant case in view of the Judgment passed by the Hon'ble Supreme Court of India in Bikramjit Singh's case (2022(10) SCC 616) is fixed for hearing today.

At this juncture, a petition has been filed by the Ld. Counsel for the accused person stating that the senior Ld. Counsel has just received the brief of the case and therefore some time is required to conduct the hearing and therefore an accommodation has been sought for.

Heard both sides on the point of adjournment.

On submission of the Ld. Counsel and also considering the fact that the accused person is not produced today, the prayer for adjournment is considered and allowed.

Another petition has been filed on behalf of the accused person stating that Ld. Senior Counsel will not be able to remain present before this Court physically to conduct this case on the dates of hearing and therefore Ld. Counsel prays for allowing the Ld. Senior Counsel for the accused person to attend Court virtually to conduct the case.

Heard the Ld. Counsel for the accused person.

Continued.....

Continued order no.13 dated 09.04.2024

This Court is of the view that there is no impediment to allow the Ld. Senior Counsel for the accused person to attend Court virtually to conduct the case.

Hence, Ld. Counsel for the accused person is at liberty to conduct this case virtually.

Ld. Counsel for the accused person is directed to furnish the email Id for conducting hearing virtually with this Court before commencement of hearing of this case on the date fixed and the hearing through video conference will be done strictly following the guidelines of the Rules of the Video Conferencing System for Courts as framed by the Hon'ble High Court at Calcutta **vide Notification No.3097-G dated the 16th December, 2021.**

On submission of the Ld. Counsel for the accused person, fix **09.05.2024** for production of the sole accused person who is on C.B. in this case either in physical mode or in virtual mode and hearing of the petition dated 25.09.2023 filed on behalf of the accused person praying for dropping the proceedings of the instant case in view of the Judgment and decisions passed by the Hon'ble Supreme Court of India in Bikramjit Singh's case (2022(10) SCC 616).

The Superintendent of Alipore Women's Correctional is directed to take necessary measures to ensure production of the accused person before this Court on the next date fixed either in physical mode or in virtual mode.

The Superintendent of Central Correctional Home, Guwahati, Assam is also directed to take necessary measures to ensure production of the accused person before this Court on the next date fixed either in physical mode or in virtual mode

The accused person is as before.

Let a copy of this order be sent to the Superintendent of Alipore Women's Correctional Home for information and necessary action.

Let a copy of this order be sent to the System Officer of this establishment for information and necessary action.

Let a copy of this order be sent to the Superintendent of Central Correctional Home, Guwahati, Assam for information and necessary action.

D/C by me.

Sd./-
Chief Judge
City Sessions Court, Calcutta

Chief Judge
City Sessions Court, Calcutta