

IN THE COURT OF LD. CHIEF JUDGE, CITY SESSIONS COURT, BICHAR BHAWAN, CALCUTTA

NIA CASE NO 03 OF 2024

(CNR –WBCS01-000482-2024)
Present: Sri Soumendra Nath Das
Chief Judge, City Sessions Court, Calcutta.
Cum Special Judge, Under NIA Act
City Sessions Court, Calcutta
J.O. CODE NO.WB01132

Order no. 05 dated 20.08.2024

To-day is fixed for production of the accused persons, if any, receiving the original case record of the Amta P.S. Case No./FIR No.49/2022 dated 23.02.2022 and submission of I.O's. report in final form.

It appears from the case record that the Judicial case record bearing G.R. case no.GR 373/2022 arising out of Amta P.S. case no.49/2022 dated 23.02.2022 in envelope sealed with Cello tape has been received from the Ld. Additional Chief Judicial Magistrate, Uluberia, Howrah along with a forwarding letter of Ld. District Judge, Howrah vide letter no.1246-XII (2) dated 29.07.2024.

Neither the accused persons are not produced before this Court, nor are the accused persons present before this Court.

A petition has been filed by the CIO/D.S.P., NIA, B.O., Kolkata through Ld. Special P.P. of NIA stating that investigation is being carried out on day to day basis to identify and arrest the main conspirators involved in committing the offence and therefore some more time is required for completing the investigation and submitting I.O's report in final form and so CIO prays for some more time for filing I.O's. report in final form.

Today Ld. Lawyers did not attend the Court proceedings due to resolution taken by local Bar on account of death of one Ld. Advocate.

Perused the case record and the petition filed today by the Prosecution.

Having heard the Ld. Special P.P. of NIA and being satisfied with the report of the CIO with regard to allowing some time for submitting report in final form, prayer for time is considered and allowed.

I find that vide order dated 24.05.2024 passed by the Hon'ble Court at Calcutta in connection with CPAN 698 of 2024 in WPA 4543 of 2022 the National Investigating Agency has been directed to proceed with further investigation in the case and to file supplementary charge sheet, if any.

Considering the above fact and circumstances, Ld. District Judge, Howrah is further requested to kindly instruct the concerned Ld. ACJM, Ulberia to take necessary steps to ensure production of all the arrested accused persons (if in judicial custody) in connection with the Amta P.S. Case No./FIR No.49/2022 dated 23.02.2022 before the court of Ld. Chief Judge, City Sessions Court, Calcutta, Bichar Bhawan, 2 & 3, Bankshall Street, Kolkata- 700 001 on the date fixed i.e. on 02.09.2024

Continued....

Continued order no.05 dated 20.08.2024

At this juncture, the Ld. Special P.P. of NIA submits that the some of the accused persons are detained in the Ulberia Correctional Home and therefore the I.O. prays for a direction upon the Superintendent of Ulberia Correctional Home to produce the arrested accused person/persons in connection with Amta P.S. Case No./FIR No.49/2022 dated 23.02.2022 before this Court.

Heard the Ld. Special P.P. of NIA.

In view of the submissions of the Ld. Special P.P. of NIA, the Superintendent of Ulberia Correctional Home is also directed to submit a report as to whether any accused person/persons are detained in the Correctional Home in connection with the Amta P.S. Case No./FIR No.49/2022 dated 23.02.2022 and also directed to produce the said accused person/persons before this Court on the next date fixed i.e. on 02.09.2024.

Today the sealed packet which was received from Ld. District Judge, Howrah, West Bengal can not be opened as the accused person/persons is/are neither present, nor produced before this Court.

Ld. Counsels also did not appear for any of the accused person/persons.

Fix **02.09.2024** for production of the accused persons, opening the seal of the G.R. case bearing GR no.373/2022 in presence of both sides and submission of I.O's. report in final form.

Let a copy of this order along with a letter of request be forwarded to the Ld. District Judge, Howrah, West Bengal for information and necessary action.

Let a copy of this order also be given to the I.O. of NIA through the Ld. Special P.P., NIA for information and necessary action.

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

D/C by me

Sd./-
Chief Judge,
City Sessions Court, Calcutta
Cum Judge Special Court, Calcutta
Under NIA Act.

Chief Judge,
City Sessions Court, Calcutta.
Cum Judge Special Court, Calcutta
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