

S.T. NO.01 (12) OF 2024
SESSIONS CASE NO.56 OF 2024
CNR NO.WBCS01-000736-2024

Present: Shri Anindya Bannerjee
(Chief Judge in-charge)
Addl. Dist. & Sessions Judge,
Bench-II, Calcutta
J.O. CODE NO.WB00868

Order No.02 dated 06.01.2025

Ld. P.O is on duty leave today.

To-day is fixed for production of all the seven accused persons and evidence of C.S.W.25, Dr. Koushik Tudu.

The accused persons namely 1) Sankar Barman, 2) Pabitra Murmu, 3) Pervesh Oraon, 4) Indrajit Handa, 5) Sekhar Mondal, 6) Dut Kr. Mondal and 7) Rana Hembram are produced before this Court from the J.C.

Ld. Counsels for all the accused persons are present.

Ld. P. Ps.-in-charge are present by filing respective haziras.

One petition along with copies of a letter dated 11.12.2024, FSL report bearing no.CFSLKOL/1588/CO/35/24/FED-35-2024/2538 dated 14.11.2024 and Forensic Examination Report bearing no.CFSLKOL/1588/CO/35/24/FED-35-2024 dated 09.10.2024 has been filed on behalf of the Prosecution praying for keeping copies of those reports with the case record.

Perused the same and let those be kept with the record.

One acknowledgment receipt of copies of the FSL report with due endorsement of the accused persons on the receipt has been filed on behalf of the Prosecution.

Let the same be kept with the record.

C.S.W.25, Dr. Koushik Tudu is present before this Court.

At this juncture, a petition has been filed on behalf of the accused person namely Pervesh Oraon stating that the Prosecution intends to examine C.S.W.25, Dr. Koushik Tudu, being the medical officer today, but the complainant, C.S.W.1 namely Md. Imran Alam of this instant case is required to be examined first for the ends of fair trial of this case and therefore prays for issuance of summon upon the C.S.W.1 namely Md. Imran Alam for adducing evidence before this Court at first instead of the C.S.W.25, Dr. Koushik Tudu, the medical officer.

Ld. P.P. raises objection and submits that it is the discretion of the Prosecution as to which witness the Prosecution is inclined to produce before this Court for adducing evidence at first and prays for rejection of the petition filed today on behalf of the accused person namely Pervesh Oraon.

Heard both sides.

This Court is of the view that Prosecution is at liberty to produce the C.S.Ws. as per their will and as such the petition filed today on behalf of the accused person namely Pervesh Oraon for producing the C.S.W.1 namely Md. Imran Alam for adducing evidence before this Court at first stands rejected.

In presence of both sides the record is taken up for recording evidence. **C.S.W.25, Dr. Koushik Tudu** is examined in chief as **P.W.1 in part**.

Post Mortem Report is proved and marked as **Exhibit-P-1/P.W.1**. and the report dated 11.07.2024 is proved and marked as **Exhibit-P-2/P.W.1 (with objection)**.

Further examination in chief of P.W.1, Dr. Koushik Tudu is deferred on the prayer of the Ld. P.P.-in-charge.

As per Gazette Notification dated 15.07.2022, the certified true copy of the deposition of P.W-1 dated 06.01.2025 is handed over to both sides i.e. the prosecution as well as the Ld. Defence Counsel after obtaining endorsement in the relevant register.

A petition along with a copy of Examination Schedule for the M.A. 3rd Semester Examination , 2024 has been filed on behalf of the accused person namely Sekhar Mondal stating that the accused/petitioner is a student of M.A. (English) under Rabindra Bharati University, Kolkata and the schedule of 3rd Semester Examination of the accused/petitioner is fixed from 17.01.2025 to 27.01.2025 on different dates and therefore prays for a direction upon the Prosecution/Jail Authority to make proper arrangement for sitting for said examination of the accused/petitioner.

Heard the Ld. Counsel for the accused/petitioner.

In view of such prayer made in the petition, the Superintendent Presidency Correctional Home, Calcutta is directed to take necessary steps as per the provisions of West Bengal Correctional Services Act, 1992 and submit a report in this regard by the next date fixed.

Fix **07.02.2025** for production of all the seven accused persons and further examination in chief of P.W.1, Dr. Koushik Tudu.

Re-issue the summon in the name of P.W.1, Dr. Koushik Tudu at once with a direction to appear before this Court on the next date fixed positively for adducing evidence.

All the accused persons are remanded to J.C. till date.

Let a copy of this order along with a copy of the petition filed today on behalf of the accused person namely Sekhar Mondal be sent to the Superintendent Presidency Correctional Home, Calcutta for information and necessary action.

D/C by me.

Sd./-

Chief Judge in charge
City Sessions Court, Calcutta

Chief Judge in charge
City Sessions Court, Calcutta

