

**In the Court of Metropolitan Magistrate 4th Court, Calcutta**  
**PRESENT: SK JAFAR ALI, (WBJS), J.O. Code No. WB/01347**

**GR 850/2012**  
**GRS 850/2012**

**Order dated 26.07.2023**

Today is fixed for evidence as last chance I.d. necessary order.

The accused person No. 1 & 3 are represented u/s 317 of Cr.P.C through their Ld. Advocate.

The Ld. APP is present along with her witness being PW-1.

The Ld. Advocate of the accused is present.

The Ld Advocate of the accused persons prayed for adjournment as the accused persons are out of station.

On the contrary, the Ld. APP as well as Ld. Advocate of the defacto complainant submitted that since long the accused persons have been taken time by this or that pretext and on the last date the time was taken on the ground of the Ld. Sr. Advocate who is now present in this court room today. They further contended that the conduct of the accused persons shows that they are interested in dragging the instant case and the defacto complainant has been suffering since long as he firstly deposed in this case on 04.02.2019 and coming before this court on almost every date. They prayed for either closure of evidence of PW-1 or for imposition of cost upon the accused persons.

On perusal of the instant case record, I found substance in the contentions of Ld. APP and the Ld. Advocate of the defacto complainant and the same is transparent in the order sheet dated 14.02.2023. Accordingly, this court is inclined to impose cost upon the accused persons for dragging the instant case.

As such, the instant petition of the accused person is allowed subject to payment of cost of Rs. 1,000/- to the PW-1 for the reason of dragging the instant case, so that the PW-1 may be compensated for the loss of his time as well as the expenditure incurred by him in attending this court for such dragging due to the conduct of the accused.

**The accused person is directed to pay the cost by the next date in default of which the further cross-examination of PW-1 shall be deemed to be declined for the ends of justice.**

To **24.08.2023** for further cross-examination of PW-1 as last chance I.d. deemed to be declined and payment of cost of Rs 1,000/- by the accused to the witness.

D/C

Sd/-

Metropolitan Magistrate,  
4th Court, Calcutta.

Sd/-

Metropolitan Magistrate,  
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