

**IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE,1st COURT
DAKSHIN DINAJPUR AT
BALURGHAT**

PRESENT : Shri Ansuman Chattopadhyay
Addl.District & Sessions Judge-1
Dakshin Dinajpur at Balurghat
JO Code : WB00-820.

SESSIONS CASE NO. 38 OF 2019
Computer Regn.No.37 OF 2019
CNR : WBDD01-000508-2019

ORDER NO. 38
DT. 04.06.2026

Today is fixed for evidence of C.S.W-1.

All 4 accused persons on court bail are present by filing hazira

Ld.P.P in Charge is present and produced one witness, namely, Surech Ch Das, C.S.W-1. However, subsequently, Ld.P.P in Charge preferred another application praying for an adjournment on the ground of non-availability of the C.S.W-1 in another case bearing No. Sessions Case-123 of 2022.

Ld.P.P in Charge moved the said petition by contending that the two cases are connected and accordingly, witnesses are required to be examined simultaneously.

Considered the submission made and perused the materials on both the records being Sessions Case No.123 of 2022 and Sessions case no.38 of 2019.

The case incidents are totally different. Although the accused persons happen to be the same in both the cases and there are some common witnesses, but keeping in view the overall materials , I do not find there is any requirement for simultaneous examination of the witnesses in both the cases.

The said two cases may at most, be fixed for trial on the same dates but there is no need or legal compulsion calling for simultaneous production of the witnesses.

Accordingly, the ground as mentioned in the petition by Ld.P.P in Charge does not appear to be tenable in the eye of law.

For the ends of justice, prayer for adjournment is allowed.

Fix 28/07/2026 for evidence of C.S.W-1.

The witness is released without being examined today on prayer of the prosecution.

Ld.P.P in Charge is directed to produce the witness positively on the next date fixed, notwithstanding the fact as to whether any witness is produced by the prosecution in Sessions Case No.123 of 2022 or not.

The witness Suresh Chandra Das(C.S.W-1) is also intimated about the next date fixed in open court to remain present on the aforesaid date.

Accused persons as before.

Dictated & Corrected by

A.D& S.J-1

Addl.District & Sessions Judge-1
Dakshin Dinajpur at Balurghat

