

Order No : 21

Dated: 20.12.2022

Today is fixed for hearing of a petition u/s 205 Cr.P.C. filed by both the accused persons Chittaranjan Gupta and Shila Choudhury Gupta . Both the accused are absent today by filing petition on the ground stated therein. The Ld. Advocate for the accused persons and the Ld.P.P. in Charge are present.

The petition u/s 205 Cr.P.C. is taken up for hearing. The Ld. Advocate for the accused persons submitted that both the accused persons are very much aged. According to him accused No. 1 is aged about 80 years and accused No. 2 is aged about 75 years and as such, it would be a hardship for them if they have to attend the Court on each and every date of hearing. However, the Ld. Advocate submitted both the accused will appear in person as and when will be directed to do so by the Court. Hence, both the accused have prayed for dispensing with their personal appearance and permit them to appear through their Ld. Counsel except on the occasions as would be directed by the Court.

The Ld. P.P. in Charge left it upon the Court to decide the fate of the instant petition.

I have heard both the sides and have gone through the case record. On perusal of the documents lying in the case record, it appears that accused No. 1 is really aged about 80 years and the accused No. 2 is also aged about 75 years. Considering the old age of both the accused, I am of the view that their prayer u/s 205Cr.P.C. should be allowed.

Hence, it is,

ORDERED

that the personal appearance of accused No. 1) Chittaranjan Gupta and accused No. 2) Shila Choudhury Gupta are dispensed with and both of them are permitted to appear through their Ld. Advocate but they shall remain present personally before this Court on the dates of supply of copies u/s 207 Cr.P.C, framing of charge , examination u/s 313 Cr.P.C (if any) , passing of judgment and on such occasions as would be directed by the Court.

Fix 30.01.2023 for supply of copies.

Dicttd & Corttd by me

(Anuruddha Maity)

Judge, Spl. Court

Judge, Spl. Court under SC & ST under

SC & ST

(POA) Act, Darjeeling.

(POA) Act, Darjeeling.

Order No : 05

Dated: 04/02/2022.

Today is fixed for consideration of charge.
Accused person on C.B is present by filing hazira.
ld. Advocate for the accused as well as Ld. P.P both are present.
Fix 16/02/2022 for consideration of charge.

& Sessions
Darjeeling

Additional District
Judge 1st Court,