

G.R. Case no. 13 of 2016

Reg. no. 539 of 2016

Order No.61

Dated 25.10.2024

Today is fixed for E.R. of WA of accused no.1 Jagjiwan Biswakarma, death report of accused no.3 Aksar Ali and appearance of accused no.2 Amjad Ali.

The accused Amjad Ali is present before this Court by filing hajzira.

No E.R. of WA and death report has been received.

Perused the materials on record.

Considered.

Record reveals that process of issue of WA against accused no.1 Jagjiwan Biswakarma had been sent to O.C. of Jorebunglow PS several times to which time petition has been filed from concerned PS to issue the warrant against the said accused.

Further record reveals that no death report has been received from IC, Raiganj PS, District Uttar Dinajpur inspite of sending reminder.

Ld. Advocate for the accused Amjad Ali raised a serious allegation against the inaction of the concerned police department for non-execution of the warrant as well as death report as sword of trial is hanging over the head of the accused who is appearing before the Court on each and every date. So, he prayed to take stern action against the concerned inactive and indifferent police officers.

The order sheet of this case corroborates the submission made by the Ld. Advocate for the accused Amjad Ali.

However, this would like to give a last opportunity to the concerned PS to comply Court's order, i.d. legal action will be attracted as per law.

Let the earlier WA be recalled by issuing fresh one against the accused Jagjiwan Biswakarma.

Let the copy of this order along with fresh WA be sent to the OC, Jorebunglow PS and IC, Raiganj PS, District Uttar Dinajpur for E.R. of WA and death report.

A copy of this order be sent to IC, Raiganj PS, through S.P., Darjeeling to S.P., District Uttar Dinajpur.

Accordingly, fix **11.12.2024** for appearance, E.R. of WA and death report.

BCII to comply.

D & C by me

Chief Judicial Magistrate,

Darjeeling

Chief Judicial Magistrate

Darjeeling