

Spl 02 of 2023

Order No. 37

Dated 06.09.2024.

Sole accused Bijay Subba in J/C is produced from J/C.

Ld. Special PP is present and submits that no witness is present.

No SR of CSW 11 and 13 ie IO SI Subrata Dutta is received.

Heard both sides.

Perused the CR. Considered.

It transpires from the CR that out of the 13 CSW's 10 have already been examined and inspite of issuance of repeated summons upon the remaining CS witness Dr. Chitrlekha Sardar, Dr. Achinta Biswas and IO SI Subrata Dutta the trial could not be concluded.

This Court in various cases noticed that inspite of service of summons upon SI Subrata Dutta he is very much reluctant to appear before this Court for the reason best known to him. This sort of conduct on the part of a police officer is highly unexpected but before passing any stringent order against him I am inclined to bring the matter into the notice of the SDPO, Kurseong who is the Nodal Officer of this Sub-Division. Accordingly, SDPO, Kurseong is directed to take necessary steps for appearance of those three CSW's on the date fixed positively.

Issue summons afresh upon **CSW 10, 11, & 13.**

Accused is remanded to J.C till 01.10.2024.

To **01.10.2024** for production of accused, prosecution's evidence.

Let a copy of this order be sent to SDPO Kurseong for necessary compliance.

D/c by me

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SD/- Special Judge POCSO  
Kurseong.