

Spl. Case No. 04 of 2019

Order No. 71.

Date: 13.12.2024.

Sole accused Gopal Chettri on CB is present along-with his Ld. Lawyer.

Ld. Special PP in-charge is present and she files a RT message received from IC Karanjhora OP stating therein that CSW 12 / 1st IO could not appear today due to his engagement in L/O Duty.

Ld. Special PP in charge submits that the said witness / 1st IO maybe examined through online as he is presently posted far away from this station and she prays for sometime.

Heard both sides.

Ld. Defence counsel raises no objection.

Perused the CR.

Considered.

On close scrutiny of CR I find that the then Ld. PO vide Or. No. 58 dt. 05.12.2023 issued WWA against the CSW 12 and he appeared before this Court on 08.02.2024 for adducing evidence but he could not be examined on that date as the then Ld. PO was busy with the judgement and directed him to appear on 15.03.2024.

CR further reveals that several dates were fixed for his evidence but he failed to appear on each of the dates and finding no other way this Court even directed the SP Uttardinajpur as well as SP Darjeeling to ensure his appearance on 26.11.2024 & also on 13.12.2024 and this date but unfortunately the same also yielded no result revealing about reluctant attitude on the part of the highest police authority of those two districts to comply with the order of Court of law.

However, be that as it may for the time being as this Court is more interested in completing trial of the instant case and accordingly Ld. Special PP in charge is directed to ensure evidence of the 1st IO on 12.02.2024 either personally or through online.

Let a copy of this order be sent to the SP Uttardinajpur for his information and strict compliance thereof.

Issue summons afresh upon the CSW 15.

To **12.02.2025** for appearance and prosecution's evidence of **CSW 12 & 15**.

Accused as before.

D/c by me

.....Sd/-.....
Special Judge POCSO, Kurseong
JO Code No. WB00601