

S . T Case No. 28 (08) 2024  
S . C No. 40/ 2024  
CNR – WBHG01-000694-2024

Order No. 04 dated 08.05.2025

Today is fixed for evidence of CSW-1.

Out of three accused persons, accused Kartick Nayek and Bikram Nayek on CB are present along with their Ld. Advocate and has filed hazirah.

Accused Lipika Nayek on CB is absent and she is permitted to be represented by her Ld. Advocate u/s 317 of Cr.P.C.

Ld. PP-in-Charge representing the State Prosecution is also present with one witness namely Smt. Pushpa Nayek who is examined in chief in full and PW-1 and the following documents have been marked as exhibits on behalf of the State Prosecution :-

- 1) Exhibit – P-1/1 – Signature of PW-1 on the written complaint dated 14.05.2023 ;
- 2) Exhibit – P- 2/ 1 – Signature of PW-1 on the seizure list dated 16.05.2023 relating to seizure of torn saree ;
- 3) Exhibit – P- 3/1 – Signature of PW-1 on the seizure list dated 16.05.2023 relating to seizure of Katari and Hesho ;
- 4) Exhibit – P- 4 – Statement of PW-1 recorded u/s 164 of Cr.P.C dated 19.05.2023 (with objection) ;
- 5) Exhibit – P- 4/1 & 4/ 2 – Signatures of PW-1 on the statement recorded u/s 164 of Cr.P.C dated 19.05.2023 ;

The following objects have also been marked as exhibits on behalf of the State Prosecution :-

- a) Mat Exhibit I – Seized Hesho ;
- b) Mat Exhibit II – Torn saree of PW-1 ;

At this stage, by filing a petition u/s 231 (2) of Cr.P.C, Ld. Advocate for the accused persons submits that cross-examination of PW-1 may be deferred till the examination-in-chief of CSW-3 Nimai Nayek and CSW -5 Bakreshwar Nayek or else the defence would be prejudiced.

Copy of this petition has been duly served upon the Ld. PP-in-Charge.

Since, the other witnesses mentioned in the petition are close relatives, the prayer of the accused u/s 232 (2) of Cr.P.C is allowed.

Defence is permitted to defer the cross-examination of PW-1 till the examination of CSW-3 & 5.

Fixing **14.08.2025** for evidence of CSW-3 Nimai Nayek.

Issue summons accordingly. Prosecution to take steps also

Dict. & Corrcrct by me

Sd/-

Addl. Dist. & Sessions Judge  
(3<sup>rd</sup> Court), Hooghly  
WB00891

Sd/-

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