

S.T 15(05)2025

S.C 65/2025

CNR no.WBHG01-001022 -2025

Order no.05 dated 25.08.2025

Today is fixed for evidence of P.W-1/Supriya Saha. Accused persons are produced before me through V.C mode. P.W-1 Supriya Saha is present on call before me. Her examination-in-chief is completed today. At this stage, one petition filed on behalf of the accused persons u/s 254(3) of the BNSS (u/s 231(2) Cr.P.C) filed on dated 26.06.2025 is moved before me. Heard both sides present. Considered.

Moving the aforesaid petition, the learned Advocate for the accused persons submits that cross-examination of P.W-1 and CSW-2 to CSW-5 may be deferred till completion of their examination-in-chief. It is further submitted that P.W-1 is the mother of the victim, CSW-2 is the father of the victim and husband of P.W-1, CSW-3 is the uncle of CSW-2 , CSW-4 is the mother of P.W-1 and CSW-5 is the sister of P.W-1. As all the aforesaid witnesses are from the same family, the defence may be permitted to cross-examine P.W-1 and the rest four CSWs only after completion of their examination-in-chief.

The learned P.P in-charge submits that in view of the materials lying in the CD, the learned court should refuse their prayer on the ground that nothing has been specified in the petition as to how the defence shall get prejudiced if the prayer is refused. However, if the learned court consider their prayer, it should be only with regard to P.W-1 and her husband/CSW-2.

CD of the case is placed before me. I have gone through the materials lying in the CD and the respective statements u/s 161 Cr.P.C of CSW-2 Jadav Saha, CSW-3 Surajit Saha, CSW-4 Sanaka Majumdar and CSW-5 Dipika Biswas. It is appearing that Jadav Saha and Supriya Saha/P.W-1 are the husband-wife and the victim child is their son. In the alleged night Supriya Saha and Jadav Saha were in their house since the victim boy went missing. Sanaka Majumdar and Dipika Biswas are respectively the mother and sister of P.W-1. Surajit Saha is out of their family, though a local neighbour.

In my consideration, the prayer for deferment should not be allowed as a matter of course and on wholesome basis without specific reason. In this regard, the statements of the witnesses as above u/s 161 Cr.P.C and statements of some witnesses u/s 164 Cr.P.C is looked into. The prayer for deferment of P.W-1 and CSW-2 Jadav Saha is only **allowed**. However, the prayer for deferment of cross-examination of CSW-3, CSW-4 and CSW-5 is **refused**.

Accordingly, the prayer petition u/s 254(3) of the BNSS (u/s 231(2) Cr.P.C) is hereby **allowed but in part**.

The defence is hereby permitted to cross-examine P.W-1 and CSW-2 only after the completion of examination-in-chief of CSW-2/Jadav Saha. The petition as aforesaid is accordingly disposed of. Both sides commonly prayed for a short date.

To 10.09.2025 for evidence of CSW-2/Jadav Saha and cross-examination of P.W-1.

Dictated & corrected by me

Additional Sessions Judge,  
1<sup>st</sup> Court. Chinsurah  
J.O Code no.WB00753

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1<sup>st</sup> Court, Chinsurah.  
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