

ST Case No. - 32 (12) 2021
S C No. - 39/ 2020
CNR - WBHG01-001116-2020

Order No. 11 dated 04.10.2023

Today is fixed for evidence of CSW 1.

Out of four accused persons, three accused persons namely Debajyoti Patra, Tapas Patra and Chinmoyee Patra on CB are present before Court by filing hazirah.

Another accused person namely Aheli Patra is absent and is represented by her Ld. Advocate u/s 317 of Cr.P.C.

A petition has been filed u/s 231 (2) of Cr.P.C on behalf of the accused persons with a prayer for deferring the cross-examination of CSW 1 to CSW 4 till conclusion of examination-in-chief of such witnesses who are closely related to each others.

Copy of this petition has been served upon the Ld. Addl. PP, Hooghly representing the State Prosecution who submits that prosecution shall not be prejudiced if such prayer is allowed.

Heard both sides.

Upon considering the submissions advanced by the respective parties, the petition u/s 232 (2) of Cr.P.C filed on behalf of the accused persons is considered and allowed. The defence shall be permitted to defer the cross-examination CSW 1 to 4 till their examination-in-chief is completed.

At this stage, Ld. Advocate appearing for the accused persons files photocopy of the certified copy of order of Hon'ble High Court at Calcutta dated 24.08.2023 passed in CRR No. 737 of 2023 wherein the Hon'ble Court has been pleased to pass the following directions :-

“ The learned trial court is directed to fix a schedule consisting of three dates and fix such schedule once in every two months so that trial of the case can be taken to its logical conclusion within a reasonable period of time. No unnecessary adjournment should be granted to either of the parties.

In case no witness appears, the learned trial court would direct the superior officer in the rank of DSP/ SDPO, who is in-charge of the concerned police station, who would assist the court at least for ensuring the appearance of the witnesses on the dates so fixed.

Learned public prosecutor conducting the case would ensure regarding the production of materials, documents and exhibits on the dates so fixed for examination of the witnesses.

All stakeholders would cooperate with the learned trial court to conclude the trial at the earliest.”

Copy of this order has been duly served upon the Ld. Addl. PP, Hooghly representing the State Prosecution.

In view of the solemn directions of the Hon'ble High Court, prosecution is directed to take necessary steps for production of witnesses as per the schedule below this is fixed

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S C No. - 39/ 2020

.....2

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as per the prayer of Ld. Advocate for the accused persons in open Court after the intervening the puja vacations.

Fix 04.12.2023 for evidence of CSW 1

05.12.2023 for evidence of CSW 2

06.12.2023 for evidence of CSW 3

This Court solicits co-operation from all stake-holders in its endeavour to dispose of this case as expeditiously as possible in compliance to the above mentioned direction of the Hon'ble Court.

The accused persons to remain on Court bail as before.

Let a copy of this order be forwarded to the I/C, Chinsurah P.S, Hooghly for taking necessary steps.

D & C by me.

Sd/-

Addl. Dist. & Sessions Judge

(3rd Court), Hooghly

WB00891

Sd/-

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(3rd Court), Hooghly

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