

S T No. - 01 (02) 2020
S C No. - 172/ 2019
CNR - WBHG01-005049-2019

Order No. 97 dated 04.03.2024

Record is put up on the prayer of the accused persons.

By filing a separate petition u/s 91 of the Cr.P.C. Ld. Advocate appearing for the accused persons submits that PW-32 in course of his evidence in chief had disclosed that he had proceeded with the enquiry of this case by lodging a GD being no. 1354 dated 29.06.2019. He submits that no copy of such GDE had been provided or supplied to the accused persons u/s 207 of Cr.P.C during the stage of commitment. Unless necessary orders are being passed to provide such GD book/ register of Bandel GRPS of the relevant date i.e on 29.06.2019, it would not be possible for the defence to cross-examine PW-32 that has been fixed on 05.03.2024.

Copy of this petition has been duly served upon the Office of Ld. Public Prosecutor, Hooghly.

Seen the materials on record including the examination-in-chief of PW-32 that was recorded earlier.

Since the matter of GD entry has come out in evidence, it remains undisputed that the defence would get an opportunity to cross-examine the witness on that point. Accordingly, the petition deserves to be allowed.

The petition u/s 91 of Cr.P.C is therefore considered and allowed.

The prosecution is directed to produce the original GD book/ register of Bandel GRPS of the relevant date i.e on 29.06.2019 on 05.03.2024 so that PW-32 can be cross-examined by the defence on that point.

Let a copy of this order be forwarded to the I/C, Bandel GRPS forthwith for information and necessary compliance.

To date (05.03.2024).

D & C by me.

Sd/-

Addl. Dist. & Sessions Judge
3rd Court, Hooghly (Sadar)
WB00891

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