

SC 96/18

Order No.28 dt.20.09.25

The instant case is fixed today for passing necessary order.

Accused on bail (3) Haradhan Adak is present by filing hazirah.

Rest accused are absent by petition.

Ld. Advocate for the accused is present.

Ld. P.P i/c is present.

Accused Haradhan Adak has filed an application with a prayer for discharge as neither he is a relative of the husband of the deceased nor he took part in the alleged offence. The fact against him was incorporated afterwards as the FIR bears an inter-lineation and the fact as alleged in the statement U/s 161 of the Cr.P.C do not hit the alleged penal provisions.

Ld. P.P i/c has opposed the prayer and has submitted that accused Haradhan Adak is the father in law of the sister in law of the deceased and he had a easy access at her matrimonial house. He had cropped up an illicit relationship with the mother in law of the deceased. There is no scope to entertain the said application.

Heard and considered the same.

After considering the case diary, particularly the statement U/s 161 and U/s 164 of the Cr.P.C it is found that there is specific allegation against the present accused. The accused took active role in the alleged offence otherwise his name should not have been ensnared in the statement of the witnesses recorded u/s 164 of the Cr.P.C. The entire incident took place within the four corners of the matrimonial house of the deceased wherein the present accused had easy access. Moreover, allegedly he had an illicit relationship with the mother in law of the deceased. As a result after considering the case diary the prayer for discharge is deserved to be rejected.

Hence it is

ORDERED

that the said application dt.02.01.25 U/s 227 of the Cr.P.C filed by the accused Haradhan Adak is hereby rejected on contest without any costs.

To 19.12.25 for consideration of charge.

Sureties are directed to produce all the accused on the date fixed.

Dictated & corrected by me

Addl. Sessions Judge
F.T.C, Chandernagore, Hooghly

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