

S.T Case No.124 of 2023
CNR No. WBHW01-002499-2022
Present : Sri Plaban Mukherjee (J.O Code : WB01427)

Order No.38,
Dated : 25.11.2024

Today, the date is fixed for production and evidence of P.W. 1.

Out of six accused persons, one accused person on C.B, namely, Sudip Das is present by filing hazira. Other five accused persons, namely, Md. Khasrul Molla, Sumaiya @ Sumaiya Khatun, Samrat Singh, Dhruva Sadhukhan and Abdush Samad Mondal @ Kausar are produced from the correctional home. They are taken into custody and remanded to J.C till the next date.

Received two letters being No.3519/WO dated 22.10.2024 and Memo No.3460/WO dated 15.10.2024 from the Superintendent of Alipur Womens Correctional Home intimating that the girl child of the UTP Sumaiya Khatun, wife of Abdul Rahim was handed over to Child Welfare Officer, Future Hope Little Girls Home, Kolkata on 21.10.2024 as per the order of the Chairperson, CWC, Kolkata vide Order No.CWC/C/No-1171/K/24 dated 21.02.2024. let those be kept with the record.

Received one prisoner's petition of Sumaiya Khatun, forwarded by the Superintendent of Alipur Womens Correctional Home vide letter No.3520/WO dated 22.10.2024 praying for sending her daughter along with her to Bangladesh when the situation will arise so. Let it be kept with the record.

At this stage, there is no scope for this Court to deal with this petition. Hence, the petition of UTP Sumaiya Khatun is rejected.

Ld. P.P. in Charge is present.

Ld. Advocates for the accused persons are present.

No witness turns up today.

One intimation is received through Ld. PP-in-charge intimating that the de facto complainant of this case (P.W-1) is presently posted as O.C of Garubathan P.S, District – Kalimpong and he could not come before this Court today as he was directed to appears before the Hon'ble Jalpaiguri Circuit Bench of the Hon'ble High Court at Calcutta. Let the same be kept with the record.

SI Swati Kumari is personally present and submits one written intimation that presently, she has been posted at CIS Section, CID, W.B and accordingly, she has made over the case to O.C, AHTU, CID, WB for the arrangement of further investigation of this case and on 12.11.2024, she had already sent a mail to AHTU, CID, WB from her personal mail intimating the present I.O of this case to produce the alamats of the case before this Court. She has annexed some supportive documents. Let those be kept with the record.

Received another intimation from LSI Shreyashi Bagchi of AHTU, CID, WB, which was forwarded by the Officer-in-Charge of Anti Human Trafficking U, CID, Bhabani Bhaban, West Bengal intimating this Court that eight mobile phones have been sent to the Director-in-Charge, Cyber Forensics & Digital Evidence Examiners' Laboratory, CID, WB for data extraction and she has also issued one reminder letter, but till date, she has not received any examination report from CFDS, Government of WB. He has also given the details of the eight mobile phones in her said intimation. Let it be kept with the record.

Contd.....

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[Continuing Order dated 25.11.2024]

Heard Ld. PP-in-charge. Considered.

Considering the above facts and circumstances of this case, the Director-in-Charge, Cyber Forensics & Digital Evidence Examiners' Laboratory, CID, WB is requested to take necessary steps for submission of examination reports as early as possible as the Alamats are very much essential for the speedy trial of this case and there is a direction of the Hon'ble High Court at Calcutta upon this Court to conclude the trial of the case as early as possible.

Let a copy of this order be sent to the Director-in-Charge, Cyber Forensics & Digital Evidence Examiners' Laboratory, CID, WB for information and taking necessary steps.

At this stage, Ld. PP-in-charge files a petition praying for cancellation of the present schedule on the ground stated therein.

Heard. Considered.

Let the present schedule of evidence be cancelled.

Considering the direction of the Hon'ble High Court at Calcutta, let an another schedule be fixed for evidence.

P.W-1 SI Pratik Subba, presently posted as Officer-in-Charge of Garubathan P.S under District – Kalimpong is directed to be present on the next dates of evidence positively.

The Superintendent of Kalimpong District is requested to pass necessary direction to the Officer-in-Charge of Garubathan P.S ensuring his attendance before this Court on the next dates taking into consideration the direction of the Hon'ble High Court at Calcutta.

Let a copy of this order be sent to the Superintendent of Kalimpong District and to P.W-1 i.e. SI Pratik Subba, presently posted as Officer-in-Charge of Garubathan P.S under District – Kalimpong through the Superintendent of Kalimpong District for their information.

Let another copy of this order be sent to the Director-in-Charge, Cyber Forensics & Digital Evidence Examiners' Laboratory, CID, WB, for information and taking necessary action.

Fix 06.01.2025 for appearance, production and evidence of P.W-1.

07.01.2025 for appearance, production and evidence.

Prosecution is directed to take proper steps.

Dictated & Corrected by me.

A.S.J, 1st Court, Howrah

Additional Sessions Judge,
1st Court, Howrah.