

S.T Case No.124 of 2023

CNR No. WBHW01-002499-2023

Present : Sri Plaban Mukherjee (J.O Code : WB01427)

Order No.68,

Dated : 07-08-2025

Today, the date is fixed for for production, appearance and evidence.

Out of six accused persons, one accused person on C.B, namely, Sudip Das is absent by filing a petition u/s 317 Cr.P.C.

Out of rest five accused persons, two accused persons, namely, Md. Khasrul Molla and Sumaiya @ Sumaiya Khatun are produced from correctional home. They are taken into custody and remanded to J.C till the next date.

Rest three accused persons, namely, Samrat Singh, Dhruva Sadhukhan and Abdush Samad Mondal @ Kausar are produced from the correctional home through video conference. They are taken into custody and remanded to J.C till the next date.

Ld. PP-in-charge is present with the I.O of this case.

Ld. Advocates for the accused persons are present.

Now, the case record is taken up for hearing of the petition u/s 317 Cr.P.C.

Heard both sides. Considered.

The petition u/s 317 Cr.P.C is hereby allowed with the condition that the accused person shall not challenge his identity.

No witness turns up today.

At this stage, the Ld. PP-in-charge submits a prayer along with the communication of Sub-Registrar, Birth & Death, South Zone, MCD to examine the witness through video conference.

Perused the case record and the evidence on record.

At the time of hearing, Ld. PP-in-charge informs that the parents of the victims obtained their custody from Child Welfare Committee, Howrah without prior information of the investigating officer and the birth certificates of the victims are claimed to be forged. Hence, the evidence of this witnesses is very much essential.

In view of the above facts, the investigating officer is directed to ensure the presence of the witnesses on the date fixed before this Court for deposing in this case in order to comply the direction in Circular Being No.4529 dated 30.06.2024 of the Hon'ble High Court at Calcutta in pursuance of the solemn direction of the Hon'ble Apex Court of India and in default, necessary order will be passed in this regard.

Ld. PP-in-charge is also directed to take all initiatives to ensure the presence of the witnesses before this Court on the dates, so fixed.

Fix 11.08.2025 for appearance, production and evidence of Ld. Judicial Magistrate and

14.08.2025 for appearance, production and evidence of the Sub-Registrar, Birth & Death, South Delhi Municipal Corporation.

Dictated & Corrected by me.

A.S.J, 1st Court, Howrah

Additional Sessions Judge,
1st Court, Howrah

