

**GR Case No.2750 of 2023(CIS Reg. no. 1585/24)**

CNR No. : WBHW04-004137-2024

**Order dated: 12/03/26**

Today is fixed for evidence.

Out of the two accused persons on CB, one accused persons is present by filing hazira and another accused person is represented u/s 317 Cr.P.C.

As stipulated by the previous order today is fixed for prosecution evidence. Summons were accordingly sent to the witnesses and one witness namely, Subrata Ganguly is present. Accordingly, he is examined in chief as PW 5 and discharged after cross declined.

**At this stage the Ld Lawyer for the accused person prays for closer of prosecution evidence.** The Ld APP raised cavil to such prayer. On introspection of the case record it has transpired that till date 05 witnesses have been examined on behalf of the prosecution. Other charge sheet witnesses are not coming up despite taking gusto efforts. It is worthwhile to mention here that this case is pending for long and as per the mandate of Constitution speedy disposal is the fundamental right of the accused persons. This court must hoist that right **and must also act in accordance with section 309 of the Criminal Procedure Codes 1973 read with Case Flow Management Rules, High Court Rules 2006.** Hence being pioneered by the above delineations I have no dichotomy to truncate or snip the evidences for the prosecution at the stage and any other view will transgress the clear verdict of law.

Hence it is ordered;

That the evidence of the prosecution is closed. Let the case be fixed for examination of the accused persons under section 313 of Criminal Procedure Code 1973.

Fix **23/03/2026** for examination of the accused persons under section 313 of Criminal Procedure Code 1973. The accused persons as before. The surety is directed to ensure appearance of the accused persons on the next date.

Chief Judicial Magistrate, Howrah  
(J.O. Code WB 01022)