

GR 3144 of 2015(Reg.2283 of 2018)
Domjur P.S. Case No. 425 of 2015 Dated 02.05.2015
J.O. Code: WB01022
CNR NO.WBDD020010192023



Present:- Sri. Gairik Roy
Chief Judicial Magistrate, Howrah
JO Code:-WB01022

Order dated 30.03.2026,:-

Accused **Kutubuddin Gaji @ Kutub** is produced through the medium of electronic video linkage.

Today is fixed for evidence of CSW-06 namely, Inspector Koushik Das (arms Expert) and CSW 07 namely, SI Munshi Hamidur Rahaman (investigating officer).

Inspector Koushik Das (arms Expert) is present to depose. He is examined in chief as PW-04 and cross examined in full and is discharged. During his examination the examination report dated 09.08.2015 which bears the signature of PW-04 is marked as **Exhibit – P-4/P.W.4 (as a whole) and signature in the report be marked as Exhibit -P-4(1)/P.W.4.**

The seized alamat under P.R. No.92/15 is produced before this Court by constable No.812 namely, Prabir Adak of Domjur P.S. The said fire arm already **marked as MAT Exhibit – I is shown to the witness and the same is identified.** The envelope is also present and sealed and the same is also available over the envelope.

MAT Exhibit – II/1 is also shown to the witness and the same is identified and it also bears the leble and signature therein. Signature of the witness over the envelope is marked as **MAT Exhibit – II/2.**

SI Munshi Hamidur Rahaman (investigating officer) deposed through the video linkage. Witness Sirshendu Kundu (PW1) is cross-examined in full through V.C. and discharged.

During his examination-in-chief of PW-05 the receiving endorsement of ASI Pranab Mondal marked as **Exhibit – P-3(1)/P.W.5.** his signature and handwriting of ASI Pranab Mondal was known to the witness, during course of his official business. ASI Pranab Mondal filled up the formal FIR. Said formal FIR marked as **Exhibit P-5/P.W.5 (as a whole).** I.C. Madhusudan Mukhopadhyay endorsed the case to PW-05 for investigation. The rough sketch map and index is marked as **Exhibit – P-6/PW.5 and P-6(1)/PW5, respectively.**

Thereafter, PW-05 sent the seized alamat under proper challan for expert opinion and the same was properly received by Armory Section of Howrah Rural District. The said challan marked as **Exbt. P-7/PW5 (as a whole).** This is the label of exhibit prepared by PW-05 which identifies the seized alamat and PW-05 sought for opinion of the arms expert. The label is marked as **Exbt. P-8/PW5 (total 05 pages).** The label of Exbt. A which is pasted over the envelop through which the seized alamat was sent to Arms Expert. It bears the signature of PW-05. The signature over the label be marked as **Mat Exbt. II(1)/PW5.** Thereafter, PW-05 sent a prayer for sanction to the D.M. Howrah. This is the sanction prayer dated 10.05.2016 marked as **Exbt. P-9/PW5.** This

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is the sanctioned order which PW-05 collected from the D.M., Howrah. The sanction order is marked as **Exbt. P-9(1)/PW5**.

Witness is directed to sign and put his official seal upon the digitally signed deposition sheet sent to him through e-mail and forwarded the same through e-mail

after signing and he is further directed to post the hard copy of the deposition sheet thereof, so signed.

BC-I, is directed to sent the digitally signed copy of this deposition sheet to SI Munshi Habibur Rahaman, investigating officer (PW5), O.C. Dadpur police station, through email only.

BC-I reported that the signed deposition sheet is received in email and he is directed to take a print out of the same and is placed in record.

No bail petition has been filed by the Ld. Lawyer for the accused person, today.

Perused the case record.

At this juncture, I find that and custody trial is going on and the accused is in judicial custody and examination of witness has already been completed. I am also not unmindful regarding the right of the accused person under detention. It is worthwhile to mention here that 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 Code of Criminal Procedure, 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 fact and any other view will transgress the clear verdict of law.

Accordingly, let the case record be fixed for examination of the accused under section 313 Code of Criminal Procedure, 1973.

To **31-03-2026** for production of the accused person **physically** for examination of the accused under section 313 Code of Criminal Procedure, 1973 .

Dictated by me;

Chief Judicial Magistrate
Howrah

Chief Judicial Magistrate
Howrah