

Sessions Case No.497 of 2013

Order No.17,
Dated:07.03.2017.

This day is fixed for evidence of CSW-1 and appearance of accused on bail.

Accused Swadeep Roy, Ranadip Roy, Tulsi Roy, Shiyalu Roy, Rasabala Roy and Moumita Roy @ Namita on c/b are present.

Ld. PP-in-charge and Ld. Defence Counsels are present.

No prosecution witness turned up today.

It is submitted by the Ld. PP-in-charge that although summons have been issued upon the witnesses on several times but the witnesses did not turn up till date which is the reason of delay of disposal of this sessions case.

Perused the case record it is evident that charge has been framed on 21.08.2014 and since then the case record has been posted for trial. The hearing of the case was fixed on 29.04.2015, 30.04.2015, 02.05.2015 and 04.05.2015. Not a single witness turned up despite summons have been issued. Thereafter, again another schedule has been fixed on 20.07.2015, 21.07.2015, 22.07.2015 and 23.07.2015. Not a single witness also turned up despite summons have been issued. Thereafter, the Court fixed only one day for hearing of this case and summon has been issued upon CSW-1 but it is strange that the witness did not appear as directed vide order dated 18.04.2016, 13.07.2016 and 28.09.2016. In all those days summons have been issued upon the witnesses. It is strange that no service return received by this Court. It is nothing but a glaring example of negligence in discharge of duties by the police officials. Due to negligence of the police officials the trial of this case is delayed and the case is pending since 2012. In this circumstance again summons be issued upon C.S.W-1.

The I.C Bhaktinagar P.S is strongly directed to cause service of summon upon the witness and to take step for production of the witness before the Court failing which legal action shall be taken.

Fixing 13.06.2017 for evidence of C.S.W-1.

Accused do turn up on the date of trial.

A copy of the order be sent to the Superintendent of Police, Jalpaiguri for information and to take necessary action.

A copy of the order be sent to the I.C Bhaktinagar P.S for compliance.

Dictated & Corrected by me:

Additional Sessions Judge,
4th Court, Jalpaiguri.

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4th Court, Jalpaiguri.