

Order No. 64 dated 13.11.24.

The case record is put up at the instance of Ld. Special P. P. in charge for the Prosecution.

A petition is filed u./s. 311 Cr.P.C. praying for examination of a witness namely Subrata Indra, Inspector of Police, STF, West Bengal, for proper adjudication of the instant case.

Copy served.

Objection raised.

Heard Ld. Special P.P. in charge praying for examining the said witness in this case submitting that he is a gazetted officer and is the most important witness touching the merit of this case.

Heard Ld. Defence Counsel submitting that the prayer of Prosecution should not be allowed to fill up the lacunae.

Having heard the submissions of both the sides and on going through the evidence and materials on record, it appears that some of the witnesses have been examined. The vital witnesses viz. Gazetted Officer is yet to be examined with other witnesses. The name of this Gazetted Officer was omitted somehow. Accordingly, I do not find any merit in the submission of the Ld. Defence Counsels that if the prayer of the Prosecution be allowed, the lacunae will be filled in ; rather, his examination is essential to the just decision of the case. The Prosecution should be given ample opportunity to carry on their claim to a logical end.

Considering the facts and circumstances, I am inclined to allow the prayer of the Prosecution. Issue summons upon the said witness namely Sri Subrata Indra accordingly.

The Hon'ble Supreme Court has been kind enough and passed an order dated 19.02.2024 in Special Leave Petition (Criminal) No. 47342/2023 validating therein the order of the Hon'ble High Court to conclude the trial of this case by January, 2025.

This case is adjourned for the day.

Todate (19.11.24, 20.11.24 & 21.11.24) for further production, appearance and evidence.

Issue summons accordingly.

Additional District & Sessions Judge, 2nd Court,
Murshidabad -cum- Judge, Special Court,
Under NDPS Act, Berhampore, Murshidabad.
J.O. Code No. W.B. 00687.