

In the Court of Sessions Judge, Murshidabad

S. Sl. No. 829 of 2025

Present: Sri Partha Pratim Chakraborty (JO-WB01240)
Sessions Judge, Murshidabad

Order No.4, dated 03.11.2025

Today is fixed for cross examination of PW-1 and evidence of CSW1.

Two accused (2) persons namely, Haider Sk @ Haider Mondal and Rafik Sk @ Rafikul Sk are produced from J/C.

One accused person namely, Fultora Bibi on Court Bail is present by filing hazira.

Ld. Defence Counsel is present on behalf of accused persons.

Ld. P.P. Murshidabad is present and files hazira of one witness namely, Mantu Sk (CSW-1).

The case record is taken up for hearing.

Ld. P.P. submits that the witnesses are receiving threat in the locality and PW-1 has absconded.

By the order no. 4 dated 24.09.2025, S.P. Murshidabad P.D. was asked to depute one police officer for paying weekly visit to the witnesses and to ascertaining if there is any attempt from any corner to demoralize any witness. Copy of the order was sent to but no report is received. Hence, copy of the order no. 4 along with copy of this order be sent to S.P. Murshidabad P.D. for taking necessary steps and submit a report.

Ld. Secretary, DLSA is directed to depute one P.L.V. to pay weekly visit to the witness and to report regarding the safety and security of the witnesses.

Ld. Secretary, DLSA has sent a report which is kept with the record.

According to the said report there is no threat to the safety and security of the witnesses.

As Ld. P.P. expressed concerned about the safety and security, so S.P. Murshidabad P.D. is directed to look into the issue and submit a report in terms of the order as stated above.

As already mentioned, that PW-1 is absent in Court and Ld. Defence Counsel by filing one petition praying for deferring the examination of CSW1 on the ground that if cross examination of CSW1 is done today then the whole defence will be disclosed.

Considered the said petition.

It does not appear to me that there is any hide and seek game in the criminal trial. The statement of the witness examined was recorded by I/O and thereafter the witness deposed in Court so it appears that there is almost no leeway to apply in clever tactics. Hence, the petition is rejected.

Cross examination of PW-1 is deferred till examination of all other witnesses and his examination will be done after completion of other witnesses. Therefore, in view of the examination of CSW-1 is taken up and CSW-1 is examined and cross examined in full as PW-2. During examination of witness **P.W-2** his signature on the FIR was marked as **Exhibit. P-1/1(PW-2)**.

After full thorough examination the witness is discharged.

To-date **(04.11.2025)** for evidence as per schedule, appearance of the accused person on CB and production of accused from J/C.

Copy of the examination be handed over to the parties.

D.A to comply as per direction.

D/C by me.

S.J, Msd.

Sessions Judge, Murshidabad.