

Order No. :-44

Dated:- 25.04.2023

Sole accused on CB is present by filing hazira. Ld P.P in charge and ld defence counsel both are present.

Today is fixed for evidence.

The Ld P.P in- charge submitted that no summons were prepared.

As a result no witness appeared today. CD is also not available.

Considered the submission from the PP in charge and Ld defence counsel.

It transpires from the record the charge was framed against this accused person u/s 376/450 IPC and last evidence of PW7 was recorded on 06.03.2018 but since 2018 not a single witness was summoned or evidence was taken . Most surprisingly Ld PP in charge also failed to answer on this point. From the materials on record it appears that that the case is a contested one.

I do not find any cogent ground for not preparing summons or execution of the same by the prosecution and prosecution also failed to answer on this point.

In such context **Prosecution is directed to issue summons at once.**

Fix 12.12.2023 for evidence of CSW6 Dr Biswajit Sarkar,

& 13.12.2023 for evidence of CSW9 R.O. and CSW10 (IO) .

The present schedule is shifted as per prayer of the Ld PP in charge.

Accused as before. **The accused must be present on the date fixed i.d. W/A.**

Addl. Sess. Judge, 1st Court
Berhampore, Murshidabad.