

Sessions Case No.136/2010
Present :- Shri S.M.Tripathi,
Addl. Sessions Judge,
F.T.C.Ist Court, Malda.

Order No.80.

18.09.2014 Accused persons Seventeen(17) in numbers on bail are present by filing hazira . Three (03) accused persons namely Krishnendu Narayan Chowdhury, Kanu Gopal Roy and Haripada Roy are absent . On their behalf a petition U/s 317 Cr.PC is filed . Today is fixed for fixing the dates for examination of C.S witnesses .

Ld. Special PP and the Ld. Lawyers for the accused persons are present . On behalf of prosecution Ld. Special PP files a petition for another date for fixation of the schedule for examination of the C.S witnesses on the ground stated therein . Copy served . No objection raised .

The grounds for adjournments as stated in the petition by Ld. Special PP are not new one . On previous dates same grounds were taken for adjournment by the Ld. Special PP . The grounds of adjournments taken by prosecution for last five months have been pendency of a Criminal Revision before Hon'ble High Court, Calcutta, against the order, dated- 12.06.2013 . No order has been received by this Court from Hon'ble High Court and also no order has been filed by the Ld. Special PP in support of the petition for adjournment till today from where it can be hold that there has been stay order by Hon'ble High Court against the proceeding of this case . The trial i,e the evidence of prosecution witnesses could not be proceeded since the date i,e 18.11.2010 of framing charge against the accused persons . The first Schedule for evidence of C.S. Ws was fixed on 12.02.2012 . Till today prosecution has not produced the C.S. Witnesses for evidence .

The grounds for adjournments for the fixation of schedule for evidence of C.S.Ws by the Ld. Special PP have not been new one . In view of decision of Hon'ble Apex Court in Writ Petition Civil No. 536/2011, Judgment, dated- 10.03.2014 the following schedule for evidence of C.S. Witnesses be fixed .

To 24.11.2014 for evidence of C.S.W nos. 1 & 2 .

25.11.2014 for evidence of C.S.W nos. 3 & 4 .

26.011.2014 for evidence of C.S.W nos. 5 & 6 .

27.11.2014 for evidence of C.S.W nos. 7 & 8 .

28.11.2014 for evidence of C.S.W nos. 9 & 10 .

Issue summons to the C.S. Witnesses above at once .

Ld. Special PP is to take steps for proper service of summons to the C.S witnesses stated above .

Dictated & Corrected
by me .

Sd/- S.M.Tripathi,
Additional District & Sessions Judge,
Fast Track, First Court, Malda.

Sd/- S.M.Tripathi,
Additional District & Sessions Judge,
Fast Track, First Court, Malda.