

IN THE COURT OF THE ADDITIONAL CHIEF JUDICIAL MAGISTRATE,
CHANCHAL, MALDA

Present : Sri Arindam Chakraborty
Additional Chief Judicial Magistrate,
Chanchal, Malda.

Case No. 2126 of 2017

Order dated 17.06.2025

The date is fixed for further evidence.

Steps taken on behalf of the accused persons.

Attendance preferred by the accused Pancha Das and prayer made under Section 317 of the Code of Criminal Procedure for accused Shiba Das for exempting his today's appearance.

The process No. 4938/2024 dated 11.12.2024 as issued by this Court for service of summons upon CS accused No. 6 has been returned.

I have gone through the same. it appears that the same is not accompanied with any report from the side of IC Harischandrapur P.S. This is not the single occasion when such a callous approach is followed by the police authority in returning the summon. Finding the endorsement of BMOH in the back side of the original summon, neither the Ld. APP nor the defense counsel nor even by this Court it is possible to decipher the contents. One officer of Harischandrapur P.S by marking one stamp opined that "Sir, in returning herewith the copy of summon before your Ld. Court after necessary service. Yours faithfully (signature not legible) dated 23.12.2024 of H.C.Pur P.S District Malda.", and such report forwarded by the IC Harischandrapur P.S on the same date without even considering whether that particular note given by the police officer is sufficient to hold that the summon was served or not.

Let me primarily find that the particular police officer reporting that summon served and the IC Harischandrapur P.S by forwarding such summons mechanically has not acted legally and probably acted in violation of section 29 of Police Act.

Let me forward a copy of this order to IC Harischandrapur P.S for explaining the conduct as observed by this Court in this order specifically to submit that why such act on the part of the police officers would not be regarded as acts in violation of section 29 of Police Act.

Such explanation should reach before this Court within seven days from receiving the copy of this order and in default the matter would surely be referred before the higher authority of police administration for necessary action.

Fix **03.07.2025** for report from IC Harischandrapur P.S and further hearing.

Inform accordingly.

Dictated & Corrected by me,
Sd/-
Addl. Chief Judicial Magistrate,
Chanchal, Malda.

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