

SC No. 100 of 2025

CNR WBNP06000682-2025

Order No. 25

Date: 27/11/2025

Ten accused persons are produced from judicial custody. Ld. Advocate for the accused are present at 12.00 hrs. Subsequently ld. PP Spl. PP appeared at 02.10 p.m. Ld. Spl. PP Filed hazira of one witness namely S.I. Pratap Chandra Nag.

Received the copy of order of Ld. District Judge in Crl. Misc Case No., 3650 of 2025 and Crl. Misc Case No.30 of 2025 and let it be kept with case record. It appears from the order of the ld. District Judge North 24 Parganas that the ld. District Judge has rejected the applications and held as follows:

“Having given thoughtful consideration to the submission of learned advocate for the petitioner and the ld. Spl PP, it is opened that there is no merit in the instant prayer and therefore, the instant CMC no. 3650 of 2025 is liable to be dismissed.

Hence the instant Crl. Misc Case No. 3650 of 2025 be and the same is dismissed on contest”

At this stage ld. advocate for the accused persons by filing an application submitted that an application has been filed by the accused before the Hon’ble High Court for transfer of the case record from this court. On being asked the ld. Advocate Sri Mukul Biswas for the accused persons submitted that he is ready for cross examination of the witness and will not file any adjournment prayer today. He said that there is no stay so far and he filed this petition only for information of the court. On being further ask ld. Advocate failed to say the date of next hearing of the case.

Ld. Spl. PP submitted that since the defence is ready to cross examine the witness and there is no such stay order of Hon’ble High Court, then court can proceed with the trial. He further submitted that the application of the accused for transfer of the case record has also been rejected by the Ld. District Judge North 24 parganas. He further submitted that there is also direction of the Hon’ble Court for recording deposition of 10 witnesses by the end of January 2026.

Having gone through the case record and also the order of the ld. District Judge received today, I am of the view that it would not be proper to return the witness un-examined. More particularly after the recent guidelines of the Hon’ble High Court vide No. 2816-G dated 13/11/2025.

Thus, having regard to the submission of accused Ld. lawyer and ld. Spl. PP, I am of the view that since there is no stay order pending and defence is also ready for cross examination, hence I may proceed with the recording of evidence of PW-5 today. Accordingly, he fully examined and cross examined by the defence at length.

Seizure list marked as Exbt.P-13(W.O), Signature of accused Niloy Ghosh on S/L is marked as Exbt. 13/1(W.O), Signature of father of Niloy Ghosh is marked as Exbt. 13/2(W.O), Signature of PW-5 on S/L is marked as Exbt. 13/3(W.O)

Five debit card, three bank Pass Books and 10 cheques books are marked as MAT Exbt. 11 (Collectively) (W.O), Label of the seized articles marked as MAT Exbt. 11/1 (W.O), Signature of PW-5 on it marked as MAT Exbt. 11/2 (W.O), Signature of accused Niloy Ghosh on the label marked as MAT Exbt. 11/3 (W.O), Signature of Nirmal Ghosh marked as MAT Exbt. 11/4 (W.O),

The arrest memo is marked as P-14(W.O), Signature of PW-5 on it marked as P-14/1 (W.O), Signature of Niloy Ghosh on it marked as P-14/2 Collectively (W.O), Signature of father of Niloy Ghosh it marked as P-14/3 (W.O),

Thereafter at about 05.30 p.m ld. Advocate for accused persons filed another application before the court and submitted that next date for hearing of the application for transfer **vide CMR NO.5151 of 2025** of the case record has been fixed before the Hon'ble High Court on **02/12/2025**.

In this case consecutives dates were fixed by the court for recording of deposition of witnesses and the schedule will be end on 28/11/2025. Since the application for transfer will be heard on 02/12/2025 before the Hon'ble High Court, next date for evidence may be fixed after 02/12/2025 for the greater interest of justice.

To 28/11/2025 for production of the accused as before.

To 05/12/2025 for production and waiting stay order from Hon'ble High Court.

Mat exhibited articles are returned to the person who brought it before the Court. After completion of recording of evidence of the witnesses, true copies of the deposition of PW-5 are supplied to the ld. advocates for respective parties and Ld. Spl PP.

Additional Sessions Judge,
Fast Track Court-II, Bongaon,
North 24 Parganas.