

Present : Soma Chakrabarti (JOWB - 803)

Order no. 10 dated 04-05-2023

Today is fixed for appearance of the accused persons and for further cross examination of PW -1.

The three accused persons namely Goutam Sarkar, Gour Sarkar and Santi Sarkar on Court Bail are present and file hazira.

The Ld. P.P. of this case is also present and files hazira.

The witness PW- 1, namely Smt. Nipa Rani Sarkar, the defacto complainant of this case is present. She is examined, cross examined in full and is discharged as PW-1.

The Ld. P.P. Sri Sanjay Das is present and files a petition u/s. 319 of the Cr. P.C. has submitted therein that one Smt. Putul Sarkar, daughter of Gour Sarkar, the F.I.R. name accused, who is also the sister in law of the defacto complainant, namely Smt. Nipa Rani Sarkar cannot be remained under the darkness because during the time of evidence, the name of Smt. Putul Sarkar has been raised by the PW-1 and she has clearly prosecuted Smt. Putul Sarkar along with the accused persons.

I have perused the record and it appears to me that the IO of this case, namely Md. Bazlur Rahaman Mondal, S.I., Petrapole P.S. has submitted the charge sheet against the three accd. persons, namely Goutam Sarkar, Gour Chandra Sarkar and Santi Sarkar, but the F.I.R. named Smt. Putul Sarkar has been released as non-charge sheeted person. I have also gone through the evidence of PW-1, wherein it appears that the PW-1, the defacto complainant she has also tortured upon the PW-1 along with the other accd. persons.

In view of the above, I am of the opinion, that Smt. Putul Sarkar should be present before this Court otherwise, this would be bad in law and it might be happened that the parties will be prejudiced at the end of the trial.

None raised any objection against this petition.

Therefore, the petition, u/s 319 Cr. P.C , filed by the Ld. P.P. today is hereby considered and allowed.

Let the summons be issued to Smt. Putul Sarkar, daughter of Gour Chandra Sarkar for appearance before this Court on the next date i.e. on 11-07-2023.

Requisite at once.

Fix 11-07-2023 for evidence of CSW -2,

12-07-2023 for evidence of CSW -3

13-07-2023 for evidence of CSW -4

Accused persons must be present.

D/c. by me.

Addl. Sess. Judge,
Fast Track Court -2, Bongaon,
North 24 Parganas.

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