

**In the Court of the Additional District & Sessions Judge,
Fast Track Court – I,
Basirhat, Dist.- North 24 Parganas**

Present

Shri Pradip Kumar Adhikary, WBSJ,
J O Code (UID No.) - WB916,
Additional District & Sessions Judge,
Fast Track Court – I,
Basirhat, Dist.- North 24 Parganas.

CNR No.- CNR No.- WBNP 1000 0273 2022

Sessions Case No.- 68 of 2022

(Registration Number)

ST No.- 02 (01) of 2023

arising out of

Swarupnagar PS Case No.- 231 of 2019 dated 13/04/2019

**Charge framed under sections 498A/304B/302/34 of the Indian Penal Code, 1860
sections 3 / 4 of the Dowry Prohibition Act, 1961**

State

v.

Ujjwal Mondal, Durga Pada Mondal, Santa Lata Mondal and Bhaskar Mondal

Order No.- 05

03/01/2023

Today is fixed for appearance of accused and framing of charge. / Today is fixed for production of the accused and framing of charge.

All the four (04) accused on Court bail are present by filing hazira.

The Ld. PP-in-Charge Shri Raja Bhawmick is present by filing hazira.

It appears that the copies of police report, first information report recorded under section 154 CrPC, statement recorded under section 161 CrPC of all persons whom the prosecution proposes to examine as its witnesses and all other documents or relevant extract thereof forwarded by the police officer under section 173 of the CrPC were already furnished to the accused, free of cost, in accordance with the provisions of section 207 read with section 209 of the Cr.P.C.

The case record is taken up for framing of charge against the accused.

Considered the record of the case and the documents submitted therewith.

Heard both sides.

The PP-in-Charge opens his case by describing the charge brought against the accused and stating by what evidence he proposes to prove the guilt of the accused.

Heard the submissions of the accused on the record of the case and documents as filed by the prosecution.

The accused **have** neither produced any materials and documents nor explained grave suspicion against **them** emerging from the charge-sheet along with the accompanying materials and documents.

Upon such consideration and hearing the Court is of opinion that there is ground for presuming that the accused **have** committed offence which **are** exclusively triable by the Court of Session and accordingly, charge punishable under **sections 498A/304B/302/34 of the Indian Penal Code, 1860 sections 3 / 4 of the Dowry Prohibition Act, 1961** is framed in writing against the accused in a separate charge form which is kept with the record.

The said charge is then read over and explained to **each of** the accused in Bengali and asked whether **they have** pleaded guilty of the offence charged or claimed to be tried to which **each of** the accused **have** refused to plead guilty by saying “**Ami nirdoshi**” and claimed to be tried.

To 15/05/2023 for evidence of CSW Nos.- 01 & 02 ;

To 16/05/2023 for evidence of CSW Nos.- 03 & 04;

To 17/05/2023 for evidence of CSW Nos.- 05 & 06:

To 18/05/2023 for evidence of CSW Nos.- 07, 08 & 09;

To 19/05/2023 for evidence of CSW Nos.- 10, 11 & 12;

To 20/05/2023 for evidence of rest CSWs in terms of section 231, Cr.P.C.

The accused [are](#) directed to remain present on the next date.

In compliance with the mandates of the Hon'ble Apex Court as heralded in ***Shailendra Kumar v. State of Bihar : AIR 2002 SUPREME COURT 270*** and again reiterated in ***Zahira Habibulla H. Sheikh v. State of Gujarat : AIR 2004 SUPREME COURT 3114*** the Investigating Officer is directed to remain present during trial.

The Investigating Officer is also directed to keep the witnesses present in Court.

Let a copy of this order be sent to the Investigating Officer through the Officer-in-Charge of the concerned Police Station for compliance.

The Officer-in-Charge of the concerned PS is directed to inform the concerned Investigating Officer and direct him to remain present during trial without any excuse.

The prosecution is directed to issue process for compelling the attendance of the witnesses and / or the production of the document or thing, if any and to inform the Investigating Officer.

The Bench Clerk is directed to do the needful at once.

Typed by me

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