

S.T. 4(4)2025
Present – Shri Sanjay Naskar Id.P.O
J.O Code (UID No) WB01025

Order no.2
Dated, 25.08.2025

The accused Santana Barui is absent and represented u/s 317 of Cr.P.C. Rest accused persons are present. The witness Minu Das is present. She is examined as PW-1. Her signature on the complaint is marked Exhibit P1(PW-1).

The Ld. Advocate for the accused has filed a petition u./s 231(2) of Cr.P.C. praying for deferring cross-examination of PW-1 till completion of examination-in-chief of CSW-4,8,9 on the ground they are related witnesses and they will adduce evidence with the same line and on the same sets of facts. So, cross-examination of any one of them may divulge the defence. So, the Ld. Advocate for the accused prays for necessary order.

Ld. P.P. in charge raised objection.

Having heard both sides and on perusal of the record, it appears that charge has been framed on 09.04.2025 with a case calender fixing 25.08.2025 for evidence of CSW1 and 2 and 26.08.2025 for evidence of CSW-3. On the said date the defence did not file any such application u/s 231(2) of Cr.P.C. Today the defence has come up with the present application. Be that as it may, it appears that Pallabi admittedly died in Bangalore where she used to reside with her husband. PW-1, CSW-4,8,9 did not visit her in Bangalore resulting which they are not witnesses to the alleged episode occurred in Bangalore. So, this court does not find it prudent to allow this petition u/s 231(2) of Cr.P.C.

Hence it is

o r d e r e d

that the instant petition u/s 231(2) of Cr.P.C. is considered and rejected on contest.

The Ld. Advocate for the accused is directed to conduct the cross-examination.

The PW-1 is cross-examined in part. Her cross-examination is deferred on the prayer of the defence.

To.....26/8/25 for further cross-examination of PW-1.

Addl. Sessions Judge,
Fast Track 3rd Court, Basirhat, North 24 pgs.