

Electric G.R. Case No. -61/2011

48.

17-05-2017

Today is fixed for consideration of charge.

Accused persons, namely, Mokim Ansary and Jhori Roy on C.B are present by filing hazira supported by Voter Card and Aadhaar Card, (self-attested) as their i.d. proof, but none appears on behalf of the accused persons to identify them. No Ld. Defence Counsel is present.

Prosecution is absent without taking any step. After directing the staff to inform Prosecution to appear before this Court, informing him that the accused are present and ready to face trial, the staff returned after duly informing the matter to Prosecution, but despite this, Ld. Prosecution Counsel failed to appear before this Court. This Court takes serious note of this fact as the instant case is a long-pending trial since 2011.

A speedy trial is an essential ingredient of reasonable, fair and just procedure guaranteed by Article 21 of the Constitution of India (AIR 1979 SC 1369). The non-participation of the Public Prosecutor in a Criminal Trial tantamounts to the infringement of the fundamental right of the citizens of India, that is, the accused person of this case, who is facing the trial.

Finding no other alternative, I direct the accused to be present in Court till the completion of the Judicial hours, but neither the Ld. A.P.P/Ld. Spl.P.P nor the Ld. Defence Counsel appeared before this Court, disobeying the directions of this Court. The sureties are directed to appear on the next date fixed to identify the accused, i.d. proceeding under Section 446 of the Cr.P.C would be started against them.

To **23-10-2017** for appearance and for consideration of charge.

Ld. Prosecution Counsel and Ld. Defence Counsel are both directed to be positively present on the next date fixed, to facilitate the progress of the trial, without causing disruption in the Court's proceedings.

Let a copy of this Order be sent to the District Magistrate, Purulia, and the Learned Legal Remembrancer, Govt. of West Bengal, Writers' Buildings, Kolkata-700001, for information and necessary action.

Accused person do continue as before.

B.C. to comply.

Dictated & Corrected by me

Sd/-

Additional Sessions Judge,
2nd Court, Purulia
(Special Judge under E.C. Act)

Sd/-

Additional Sessions Judge
2nd Court, Purulia
(Special Judge under E.C. Act)