

S.C. No. 69/2020 (Reg 69/2020)

26.09.23 :-

Today is fixed for hearing of the petition of prosecution dated 15.09.23.

Both the accused persons on J/C are produced from custody.

Ld. Addl. PP and ld. Lawyer for the accused persons both are present.

The petition of prosecution dated 15.09.23 is taken up for hearing.

It is submitted by ld. Addl. PP that in spite of repeated direction the PS Malkhana is not producing seized Alamats of this case which are very vital for the prosecution and submitted before this court for a necessary direction in this regard so that all the seized Alamats are produced before this court as mentioned in the charge sheet.

Ld. Lawyer for the accused persons submitted that delay is being caused in this way in this case.

Heard both sides. Perused all materials including evidence, charge sheet, letter of Director, QDEB. Considered.

It appears from the charge sheet of this case that vide property register no.11/2020, five articles were kept as (i) to (v) but out of those five articles only one article i.e. the pair of gray colour chappal has only been produced before this court and the other four articles were not produced.

As per property register no.11C/2020 total eight seized articles were kept, but out of the said eight articles not a single one is produced before this court during this trial.

As per charge sheet vide property register no.19/2020 one letter was kept i.e. not produced before this court.

It also appears that vide property register no.20/2020 one small metal piece was seized along with article no.(ii) and the said metal piece has not been produced before the court.

As per charge sheet vide property register no.21/2020 total five articles were seized but not a single one is produced before this court during this trial.

The evidence of IO is going on in this case and the IO has deposed about seizure of the articles before this court.

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It also appears from the letter dated 01.03.21 of Director, QDEB, CID, West Bengal, Bhawani Bhawan, Alipore that one letter (English written) which was sent to QDEB for examination was returned to the **constable no.269 Lakhindar Tudu** of Purulia(T) PS on 07.07.2020 and the xerox copy of acknowledgement given by said constable Lakhindar Tudu who received the said letter is also sent to this court by the Director, QDEB. But that is not produced before this court.

It appears from the record that though a good number of articles were seized by the IO of this case but very few are produced before this court so far though the trial is at the fag end and the evidence of the Investigating Officer is going on.

It appears from the submission of Id. Addl. PP and the materials on record that these articles **are required to be produced before this court for just a decision of this case.**

Under such circumstances, the **Superintendent of Police, Purulia** is requested to give necessary direction to the **I/C, Purulia(T) PS** for production of all the seized articles of this case as per charge sheet on the next date of this case without fail.

The **I/C, Purulia(T) PS** is also directed for making all necessary arrangement for production of all the seized articles of this case as per charge sheet before this court on the next date of this case.

The **IO of this case** is also directed to monitor the same so that all the seized articles of this case as per charge sheet be produced before this court positively on the next date.

As the Alamats are not produced before this court and the evidence is going to be concluded very soon (as one day is required only to conclude the evidence of IO in this case) this court requires the Alamats to be produced on the next day positively. It is also to be mentioned here that there is a direction of Hon'ble Court for expeditious trial in this case.

This court is unable to proceed further and conclude the trial in the absence of the Alamats of this case.

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The further evidence of IO would again start after production of the Alamats.

This is in connection with Purulia(T) PS case no.07/2020 dated 18.01.2020 u/s 302 IPC.

To 24.11.23 for production of Alamats.

Let the accused persons be remanded to J/C till next date.

Let a copy of this order be sent to Superintendent of Police, Purulia, I/C, Purulia(T) PS and IO of this case for compliance.

Dictated & Corrected by me

Addl. Sessions Judge
1st Court, Purulia.

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1st Court, Purulia.