

CNR No: WBSP01-000500-2020  
Present: Subhra Som Ghosal  
J.O Code: WB00984  
JJB Case No: 03 of 2020  
CIS No. Special Court Cases/3/2020

Order No. 44, dated: 24-01-2024.

The C.C.L has been produced today from the CCI.

As stipulated by the previous order today is fixed for recording of further evidence of P.W-01/victim.

The witness has appeared today from Lumbini Park Mental Hospital with the assistance of Lisha Manna, GDA.

On call the Ld. Public Prosecutor-in-charge as well as the Ld. Advocate for the CCL are found to be present.

At this stage the Ld. Public Prosecutor-in-charge submitted that considering the mental and health impediment of the victim, by order dated 26-09-2023 this Court directed for appointment of an Expert so that the victim/P.W-01 can depose freely and in a robust manner, but no expert is present today and for that reason the case record may not be taken up for recording of evidence and further direction may be given so that the services of the expert can be secured on the next date.

The Ld. Advocate for the CCL submitted that he CCL will never stand in the way of fair trial and necessary order may be passed. However the Ld. Advocate for the CCL submitted that speedy trial of the case needs to be ensured and the right of the CCL should not go unnoticed while emphasizing on the right of the victim.

I have meticulously perused the case record. From the report submitted by the DSWO, South 24 parganas at Alipore on the previous date it is axiomatic that a Special Educator was appointed and she was also conducted several sitting with the victim. The victim also expressed that she reposes faith on that person and will be comfortable to depose with her assistance.

Considering every possible facet order dated 26-09-2023 was passed by this Court. Even on this date after interacting with the Victim/P.W-01 it has transpired that the assistance which was found to be necessary by this Court still exists and it will not be sagacious to take up the case record for recording of evidence in absence of the expert/interpreter/special educator.

Hence the case record is adjourned today.

The DSWO, South 24 parganas at Alipore is directed to ensure presence of the expert/interpreter/special educator on the next date.

In order to hoist the right of the CCL, let the case be fixed on 01-02-2024.

**The CCL be remanded to safe custody and be produced on 01-02-2024.**

Let a copy of this order sheet be sent to the Secretary, DLSA, South 24 parganas at Alipore, Additional District Magistrate (Social Welfare), South 24 parganas at Alipore, DSWO, South 24 parganas at Alipore for their information and compliance.

Typed by me and;  
corrected on the system.

Additional District and Sessions Judge,  
01<sup>st</sup> Court, Alipore, South 24 parganas.

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