

CNR No: WBSP01-010602-2023

Present: Subhra Som Ghosal

J.O Code: WB00984

ST case No: 01 (10) of 2023

Order No. 10, dated: 22-03-2024.

Both the accused persons have been produced from J/C.

As stipulated by the previous order, today is fixed for evidence on behalf of the prosecution.

The witness Mou Das is present today and her attendance has been marked by the Ld. P.P-in-Charge of this case by filing her hazira.

On call the Ld. Advocates for the accused persons as well as the Ld P.P-in-Charge are found to be present with the witness. Hence the case record is taken up for recording of evidence.

The witness Mou Das is examined-in-chief as P.W-02. Cross-examination of the witness is deferred in view of the order passed on 13-12-2023 wherein the prayer of the accused persons u/s 231(2) of the Code of Criminal Procedure, 1973 was allowed.

The evidence has been duly taken down following the mandate of Section 276 of the Criminal Procedure Code 1973 read with Rule 133A of the Calcutta High Court Criminal (Subordinate Courts) Rules, 1985 [as amended vide Hon'ble High Court's Notification No. 2301-G date 14th July, 2022 in view of the judgment passed by the Honourable Supreme Court in Suo Motu Writ (CRL) No (S) 1 of 2017] and signed by me. Such evidence is read over and the explained to the witness in Bengali, in presence of the Ld. Advocate for the accused persons and the Ld P.P-in-Charge. No objection was raised by any of the parties. Let the deposition of the witness be made part of the case record. The witness is discharged at this stage.

The signature of the witness in the death enquiry report, as identified and proved by the witness has been marked as **Exhibit P-3/01/PW-02**.

Be it mentioned here that the evidence was recorded in English. No translator is available with this Court and the parties to the case did not claim any translated copy of the same and for that reason a translation thereof is dispensed with as per proviso clause of Section 277 of the Criminal Procedure Code 1973. Hard copy of the testimony so recorded duly signed to be a true copy by the B.C-1, has been made available free of cost against receipt to the Ld. Advocate for the accused persons, to the witness and the Ld P.P-in-Charge as per Rule 135(3) of the Court Criminal (Subordinate Courts) Rules, 1985 [as amended vide Hon'ble High Court's Notification No. 2301-G date 14th July, 2022 in view of the judgment passed by the Honourable Supreme Court in Suo Motu Writ (CRL) No (S) 1 of 2017].

Further witness on behalf of the prosecution is not available today.

Hence the case be adjourned on this date.

To 03-05-2024 for further evidence.

Accused persons as before. The accused persons who have been produced from J/C be remanded to J/C and be produced on 03-05-2024.

A copy of this order in PDF/PDFA format be uploaded in the CIS as per the mandate of Rule 186A of the Cr.R.O [since amended vide notification number 132-G dated 15-01-2015].

Typed to the dictation directly;
corrected on the system.

Additional District and Sessions Judge,
01st Court, Alipore, South 24 parganas.

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01st Court, Alipore, South 24 parganas.