

Special ST – 01(12)2019
Special Case No.216/18
CNR-WBSP01-012762-2018

Present : Umesh Singh (WB00783)
Judge, Special Court & 2nd A.S.J.,
Alipore, South 24-Parganas.

Order No.20
Dt.28.01.2021

Accused Mithu Ghosh is produced from J.C in person.

Accused Monojit Das on bail is present by filing hazira.

Today is fixed for evidence of complainant and other witnesses and also for passing Order on the prayer of release of the de-facto complainant.

Three witnesses namely Mallicka Mondal, Krishna Singh and Pinki Rajak are present.

Learned lawyer for complianant /witness Mallika Mondal is also present.

Learned Special P.P is also present.

Witness Mallika Mondal @ Kajol is examined-in-chief by prosecution in full as PW-1. The documents and signatures are marked as **Ext.1/1, Ext.1/2, Ext.1/3, Ext.1/4, Ext.2/1, Ext.3/1, Ext.4/1, Ext.5/1** and **Ext.5/2**.

At this stage on prayer of learned Defence lawyer, cross examination of this witness (PW-1) is deferred.

Two witnesses namely Pinki Rajak and Krishna Singh are released without any examination today.

Now the case record is taken up for passing order on the prayer of release of the de-facto complainant (Mallika Mondal @ Kajol).

Heard both sides. Perused the material on record and copy of birth certificate of Mallika Mondal @ Kajol.

Her date of birth as recorded in birth certificate is 04.05.1999. As such complainant Mallika Mondal is major one and she wants to be released from safe custody of All Bengal Women's Union Home to go to her mother's house. The mother of complainant Chandana Mondal has submitted an affidavit to that effect.

No objection has been raised from the side of prosecution and Defence.

Considering all aspects and in the interest of justice, the prayer of the complaianant for her release from Home is allowed.

Let the complainant Mallika Mondal @ Kajol be released from safe custody of the All Bengal Women's Union Home, 89 Elliot Road, Kolkata-16 on execution of PR bond of Rs.500/- with condition that she shall attend the Court as and when required by this Court.

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Fix 29.01.2021 for production of accused Mithu Ghosh, appearance of accused Monojit Das and cross examination of complainant (PW-1).

Complainant (PW-1) is directed to remain present on date fixed for her cross examination.

D/c by me.
Sd/-Umesh Singh
Judge, Special Court &
2nd A.S.J., Alipore.

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A P/R bond of Rs 500/- in duplicate submitted by complainant Mallika Mondal duly identified by her learned advocate.

Perused the same.

Let the same be accepted.

The Superintendent, All Bengal Women's Union Home, 89 Elliot Road, Kolkata-16 is directed to release the complainant Mallika Mondal.

Let a copy of this Order along with copy of P/R bond be sent to the The Superintendent, All Bengal Women's Union Home, 89 Elliot Road, Kolkata-16 for necessary compliance.

D/c by me.
Sd/-Umesh Singh
Judge, Special Court &
2nd A.S.J., Alipore.

Sd/-Umesh Singh
Judge, Special Court &
2nd A.S.J., Alipore.