

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

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

Order No.22
Dt.04.02.2021

Record is put up on prayer of learned advocate for Pinki Rajak and Krishna Singh.

Two separate petitions have been filed on behalf of petitioner/witnesses Pinki Rajak and Krishna Singh alongwith two separate affidavits of Mala Rajak, the mother of petitioner Pinki Rajak and copy of Aadhar Card of Mala Rajak, praying for release of petitioner/witnesses Pinki Rajak and Krishna Singh immediately from the Alipore Women's Correctional Home. Heard both sides. Perused the petitions of both the petitioners/witnesses, order dated 08.01.2021 of this Court and other materials available on case record.

It appears from Order No.17 dated 08.01.2021 that accused/ victims namely Krishna Singh (A-3) and Pinki Rajak (A-4) were discharged of all charges in this case and they were transposed as prosecution's witnesses and were required to be kept in Government Rehabilitation Centre for four weeks. But it has been submitted that though the said accused / victims were discharged from this case but yet they are lying at Alipore Women Correctional Home for sending them for Government Rehabilitation Centre. The learned lawyer for discharged accused /petitioners submits that the period of four weeks is going to expire but no arrangement for sending them to Government Rehabilitation Centre has been made from the side of Correctional Home Authority / the Government. He has prayed for release of the major victims from Alipore Women Correctional Home. So that they may go to their home.

Considering all aspects and constitutional rights of the petitioners/victims/ witnesses Pinki Rajak and Krishna Singh, their prayers for release is allowed.

Accordingly, the Superintendent of Alipore Women Correctional Home is directed to release the petitioners/victims/ witnesses Pinki Rajak and Krishna Singh at once if they are still lying at the said Correctional Home.

Learned advocate for petitioners/victims/ witnesses Pinki Rajak and Krishna Singh is directed to produce the said witnesses before this Court on 09.02.2021 for recording of their evidence.

Let a copy of this order be sent to Superintendent of Alipore Women Correctional Home for information and taking necessary action.

To date i.e 09.02.2021 for evidence.

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

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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.

Considering all aspects and in the interest of justice, the prayer of the complainant 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.

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.

Judge, Special Court &
2nd A.S.J., Alipore.

Judge, Special Court &
2nd A.S.J., Alipore.

Later Order No.20
Dt.28.01.2021

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.

Judge, Special Court &
2nd A.S.J., Alipore.

Judge, Special Court &
2nd A.S.J., Alipore.

