

NDPS-71/22

8.4.2025

Accd Bijoy Mondal @ Mortinon C.B is produced from J.C.

Ld. P.P in-charge and ld. Defence counsel are present.

Today is fixed for evidence but no witness is present.

Ld. P.P in-charge by placing a message of I.C, Joynagar P.S submits the witness ASI Chandranath Mondal could not attend this court today as he is engaged in law and order duty.

Ld. Defence counsel submits before this court that in this particular case the accd is in J.C for considerable long period but the trial has been proceeding in a very slow pace and till date, only one witness has been examined and for last one year no witness has been produced before this court from the side of the prosecution.

On scrutiny of the materials on record this court finds substance in the submission advanced by ld. Defence counsel. Moreover, the message of I.C Joynagar P.S is taken up for consideration wherefrom it is found that the witness ASI Chandranath Mondal could not appear before this court as he is badly engaged in law and order duty .The ground as assigned in the message, seeking adjournment for trial of this case appears to this court is absolutely vague and without any cogent reason. Moreover, it is the duty of every police officer to come before this court for the purpose of adducing evidence as and when summoned save and except in exceptional circumstances. Engagement in law and order duty does not fall within the category of exceptional circumstances.

In view of above, only for the expeditious-trial of this case, this court is inclined to issue bailable witness warrant of Rs.2,000/- upon ASI Chandranath Mondal .

With regard to another witness S.I Dhiman Bairagi it is found that inspite of due service of summons he did not appear before this court. Hence bailable witness warrant of Rs.2,000/- be issued upon S.I Dhiman Bairagi.

Accordingly fix 15.5.25 and 16.5.25 for evidence of rest witnesses and E.R of WWA and for production.

Alamats be produced before this court.

D/corr by me,

4th ASJ, Alipore.
(J.O.Code-WB00705).