Special Case No.357/2023
CNR – WBSP01-016787-2023
Ref.: Haridevpur PS Case no: 567/2023 Dated : 29.11.2023
U/s 376(2)(d)(l)(k) /506 of I.P.C read with Sec 6/17 of the Protection of Children from Sexual Offence Act r/w section 85 of Juvenile Justice (Care & Protection) & sec 92(d) of Rights of Persons with Disabilities Act.
Present :Sudipta Bhattacharjee (JO Code - WB00794)
Judge, Special Court & 2nd A.S.J.,
Alipore, South 24-Parganas.
State Vs. JD @ X @ Y and ors
State Vs. JD @ X @ Y and ors

Order No.29
Dt. 12.07.2024

Accused **Jabesh Dutta** and **Kaberi Das** are produced from J.C through VCS.

Today is fixed for consideration of charge.

Ld. Advocate for the accused Kaberi Das is present.

Ld. Advocate for the accused Jabesh Dutta is absent. A petition is filed on behalf of the accused Jabesh Dutta, but no ground has been assigned as to why the ld. Advocate has prayed for adjournment before the Court. On the last three occasions also the Court allowed adjournment. On the last occasion also the Court has directed both parties to get ready for the charge. He is in custody for long time. But even this day also, the Court waited for a long time, but the ld. Advocate for the accused Jabesh Dutta did not appear before the Court. According to the provision of section 303 of Cr.P.C., the accused has a right to be defended by a pleader of his choice. As such the Court has given the opportunity to the accused to appoint a lawyer of his choice. On being asked through VCS, the accused stated that he has a lawyer of his choice, but surprisingly the ld. Advocate of the accused Jabesh Dutta did not co-operate with the court regarding smooth progress of the case and unnecessarily is taking adjournment which is against the principle of law. In the circumstances, the petition stands rejected.

Fix 25-07-2024 for production of the accused persons and consideration of charge.

The accused Javesh Dutta is infomed to appoint an advocate of his own choice, otherwise an Advocate from LADCS will be appointed for the accused person.

To date.

D/c by me.
Sd/-

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

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