

EXTRACT OF ORDER SHEET

ST 3 (4) 2018

Order no. 33 dt 08.05.2023

Today is fixed for evidence.

All the 6 accused persons on court bail, are present by filing hazira.

Ld. PP in charge is present.

Witness hazira is filed for CSW Monirul Halder who is examined as PW 5 and discharged after cross examination.

Summon could not be served upon CSW 7 and 8.

Investigating officer of this case is absent.

From the record it transpires that this is a case u/s 498A/302/34 of IPC .

Ld. PP in charge prays for personal appearance of IO of this case SI Anup Kr. Mazumdar on the date of trial of this case.

It is clearly observed by the Hon'ble Supreme Court in judgment dated 28.11.2001 in Shailendra Kumar Vs State of Bihar and others that **“it is duty of Sessions Judge to issue summon to the investigating officer if he failed to remain present at the time of trial of the case. The presence of investigating officer at the time of trial is must. It is his duty to keep the witnesses present. If there is failure on part of any witness to remain present, it is the duty of the court to take appropriate action**”

In compliance with such direction of the Hon'ble Supreme Court Superintendent of Police, Sundarban Police District is directed to ensure personal appearance of I.O. of this case SI Anup Kr. Mazumdar of PS Kulpi who submitted CS on 17.09.2015, on 01.08.23 at 10.30 A.M.

Let a copy of this order sheet be sent to Sundarban Police District, RO, Sundarban and OC of PS Kulpi so that said direction of the Hon'ble Supreme Court is strictly complied with.

Issue summon to CSW 4.

To 01.08.23 for appearance of I.O. and evidence.

Sd/-

memo no.

dt

Copy forwarded to SP Sundarban Police District
for necessary action

Sd/-

Memo . Date

Copy forwarded to OC of PS Usthi
for necessary action

