

ST 07 (07) 2013

Order no. 69 dated 14.06.2023

Today is fixed for personal appearance of IO Debdip Jash.

Sole accused on c/b is present by filing hazira.

One intimation is received from SP Baruipur Police District to the effect that necessary direction has been issued to concern officer /IO of this case Debdip Jash to appear before this court today.

In spite of all, on call at 11.45 A.M. IO Debdip Jash is found absent.

One intimation is received from IC of PS Canning to effect that SI Debdip Jash is busy in law and order duty today in connection with nomination programme of Panchayat election 2023.

So, IC of PS Canning has decided priority between order of this court and duty in connection with nomination programme of Panchayat election and accordingly he decided to engage SI Debdip Jash in law and order duty instead of ensuring his appearance before this court which is contemptuous.

This is a case u/s 498A/302/34 IPC. On 26.07.13 charge was accordingly framed in this case, IO neither collected chemical report nor final PM report in this case. He kept his investigation incomplete without citing any reason. He did not remain present during trial of this case in compliance with direction of Hon'ble Supreme Court in judgment dated 28.11.2001 in Shailendra Kumar Vs State of Bihar and others and today at the final stage of trial he is not appearing before this court on the plea that he is busy in law and order duty which implies that he thinks compliance of direction of this court is not his legal duty.

Considering such conduct of IO it is ordered to issue B/W/A of Rs. 10,000/- against SI Debdip Jash directing I/C Diamond Harbour to execute the same within 48 hours.

IC of PS Canning is directed to show cause as to why necessary order shall not be issued against him for his said unwarranted conduct.

Let a copy of this order sheet be sent to SP Diamond Harbour/SP Baruipur Police District /OC of PS Canning and Diamond Harbour PS for necessary action.

To 17.06.2023 for ER/WA against SI Debdip Jash.

