

EXTRACT OF ORDER SHEET

ST 1 (09) 18

Raidighi PS 46/2012

Order no. 27 dated 17.07.2023

Today is fixed for evidence.

All the 3 accused persons are present today by filing hazira.

Ld. PP in charge and Ld advocate for the accused are present.

Witness hazira is filed for Dr. Kaberi Mondal. Ld. PP files one petition to discharge to Doctor Kaberi Mondal as no materials is found in CD to examine her.

Hence, the witness is discharged.

Ld. PP in charge submits that IO of this case Subrata Upadhyay is now posted at PS Basanti of Baruipur Police District, South 24 Parganas. His appearance is required in 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, Baruipur Police District is directed to ensure personal appearance of IO of this case Subrata Upadhyay, now posted at PS Basanti of Baruipur Police District, South 24 Parganas on 27.09.23 at 10.30 A.M.

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

To 27.09.23 for appearance of I.O. and evidence.

Sd/-

Memo NO.

dt

Copy forwarded to Basanti PS
for necessary action

