

ST 10 (05) 2017
Falta PS case no. 576/2015

Order no. 31 dated 09.02.2024

Today is fixed for evidence. Sole accused persons on c/b is present by filing hazira.

Ld. PP in charge is present.

Investigating officer of this case is absent.

No witness is present.

SR received against CSW 1 with report that he is not found in his given address.

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, Diamond Harbour Police District is directed to ensure appearance of I.O. of this case SI Sujit Paul and in default, appearance of present OC of PS Falta before this Court on 18.05.2024.

I/O is directed to appear with CSW 1.

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

Issue summon to CSW 2 and 3.

To 18.05.2024 for appearance of I.O. and evidence.

Sd/-

Memo

date

Copy forwarded to OC of PS Falta
for necessary action