

IN THE COURT OF THE Ld ADDITIONAL DISTRICT AND SESSIONS JUDGE
FAST TRACK 3RD COURT , DIAMOND HARBOUR, SOUTH 24 PGS
PRESENT----- CHANDRAPROVA CHAKRABORTY

ST 6 (6) 23

[SC 120/23]

GR-254/23

Usthi PS case no 42/2023

No.1

dt 26.06.2023

The accused **1. Dipak Ray** is present.

Ld. PP in charge is present along with CD.

Advocate for the accused is present.

Today is fixed for hearing of charge.

Heard Ld. PP in charge and advocate for the accused.

It is submitted by the public prosecutor that a strong prima facie case under section **302/201** of IPC has been made out against the accused. It is further submitted that materials during investigation of the case clearly suggest that the accused committed the offence punishable under **section 302/201 of IPC.**

Ld advocate for the accused concedes to the submission made by the Ld public prosecutor.

The public prosecutor opens the case and describes the charge. He also describes the evidence by which he proposes to prove the guilty of the accused.

I have perused the FIR, charge sheet, statement of the witnesses under section 161 CrPC and other materials available in the case diary. Having considered the submission made by the Ld public prosecutor in charge and ld advocate for the accused and having gone through the documents as indicated above, I am of the opinion that there is prima facie ground for presuming that the accused has committed offence which is exclusively triable by the court of sessions.

Hence, charge under section **section 302/201 of IPC** is framed against the accused person. The charge so framed against the accused is read over and explained to him, to which he plead not guilty by saying 'Ami nirdosh' and claim to be tried.

Let the accused be tried to the said charge.

Issue summon to CSW.

One petition is filed by prosecution for issuing direction upon FSL, Belgachiya for collecting chemical examination report. Prayer is allowed.

The Director of FSL, Belgachiya, Kol-37 is directed to hand over FSL report in connection with Usthi PS Case no. 42/2023 (reference no. FSL/BIO/SRL_DNA/1350/2023 dt 24.02.2023) to IO of this case SI Abul Marjan or his authorized agent immediately.

Inform.

To 17.07.2023 for evidence.