

Order no.6 dt 22.07.22

Today is fixed for consideration of charge, for which on the last occasion specific time was fixed at 11 A.M. Now it is 12 noon. All the 3 accused persons are produced from J.C. but none is present to represent them.

No petition has been filed on behalf of the accused persons in this regard.

Ld. Special PP is present along with CD.

He submits that on last occasion he prayed for speedy disposal of this case and his such prayer was considered by this Court and accordingly short date was fixed for consideration of charge. He prays for appointment of Ld. Advocate from panel of SDLSA, for these accused persons today so that the case is not delayed unnecessarily.

His prayer is considered and allowed for the ends of justice.

Inform for appointment of advocate for these 3 unrepresented accused persons namely Ajgar Laskar, Rabiul Sardar @ Babulal and Ajahar @ Ajaharuddin Laskar @ Raja from SDLSA panel, at once.

LATER

22.07.2022

At about 12.30 P.M Ld. Advocate Sri Sudip Chakraborty, for all three accused persons, rashly enters in the court room and started shouting at high pitch and at the top of his voice when Dr. Arup Kumar Kar (PW 8) is on witness box and adducing evidence in connection with another case bearing no. ST 3 (1) 12A, that is when the judicial proceeding is on full swing in the said case and doctor is being examined by Ld. P.P.-in-charge of that case Sri Dilip Gayen. Ld. Advocate Sri Chakraborty willfully interrupted the judicial proceeding of said case (ST 3 (1) 12A) and demanded explanation from the court as to why this court ordered for appointment of advocate for the accused persons of this case from SDLA panel and he gives one petition to the BC -1 of this court Sri Najimul SK and directed him in my presence to endorse seal of the court on the said petition. He asked the court in the form of direction thumping the table oddly to receive his said petition for time and to allow the same.

Further, at the same time, Ld. Advocate Sri Chakraborty throws aspersion against the court saying that '*apnar ei case e vested interest ache, tai apni tara tari ses korte chaichen, apnar court e case korbona*' and he further stated that '*ei special PP apnader judicial academy te poray, tai apni onar proti biased, apni case transfer koredin*'.

I repeatedly requested him to maintain decorum of the court and to stop his shouting and unruly behaviour, even then he continued his such unwarranted behaviour for about 10-15 minutes and stopped judicial work of the court completely.

Ld. Advocate Sri Sudip Chakraborty forced BC-I of this court continuously to give seal of the court on his time petition and to place that before me and BC-I had to do it accordingly.

From the face of the said time petition it is evident that it only bears signature of the accused persons, not of any advocate, and it has been filed on the ground of absence of advocate of the accused persons Sri Sudip Chakraborty, who is present before me now. The record speaks that Ld advocate Sri Sandip Halder filed vakalatnama for all three accused persons in this case but he has not taken any step today in the record, neither he filed any time petition nor he appeared for charge hearing.

Contd....

Such conduct of Ld. advocate Sri Sudip Chakraborty is contemptuous . Not only his such behaviour and conduct is violating the code, rules and regulation for maintaining proper decorum in the court but also trans-graced the directives under the Advocate's Act in this respect. Further, he also failed to fulfill the cultural criteria and tradition to show special respect to a lady presiding officer. The above referred conduct of Ld. advocate Sri Sudip Chakraborty calls for action under Contempt of Courts Act and matter would be referred for drawing up contempt proceeding against him.

However, till now no intimation regarding appointment of Advocate for these three accused persons from SDLSA panel is received. Hence, case is adjourned as the accused persons remain unrepresented. Ld. Special PP Bibhas Chatterjee is present.

Fix 01.08.2022 for consideration of charge and hearing on that point.

Later

22.07.2022

2.30 p.m.

Letter of appointment of Ld advocate Sri Dibakar Pakhira for all the three accused persons of this case is received from Chairman, SDLSC, Diamond Harbour. Let it be kept with the record.