

In the court of the Judge, Special court under the POCSO Act, 2012
Diamond Harbour, South 24 Parganas
Present : Sanjib Daruka (WB00765)
Special 60 of 2023
arising out of Mandir Bazar PS case No 434 of 2023
u/s 376(2)(n)(f)/376D/354C/506 of IPC & 6(1) of the POCSO Act, 2012

State Vs Shyamal Mondal

Order No 33
13.01.2026

Accused Shyamal Mondal is produced from JC through VC.

Today is fixed for prosecution evidence.

One petition is filed by Ld Special PP intimating this court that the prosecution will not adduce CS witness no 2 and CS witness no 9 as prosecution witnesses. That three witnesses are already examined as PW1 to PW3. That no other witnesses is left on behalf of the prosecution for their examination in chief in terms of the order dated 08.07.2024. So, the prosecution has prayed for fixing up date(s) for cross examination of PW1 to PW3.

Copy of this petition is served to Ld Defence Counsel. Ld Defence Counsel has pointed out that the prosecution has already examined CS witness no 9 (VG). That prosecution has examined total four witnesses. That since the prosecution does not intend to examine CS witness no 2, dates may be fixed for cross examination of PW1 to PW4. Ld Lawyer has further pointed out that the date of hearing of this case was fixed on 11.01.2026 as per the cause list that date was a holiday. So, he has come up before this court today.

Perused the case record as well as the petition dated 08.07.2024 filed by the defence and the corresponding order. Out of the five witnesses covered u/s 231 CrPC, four witnesses are already examined in chief by the prosecution. CS witness no 2 Panchu Gopal Mondal will not be examined as per prosecution petition.

Note in the witnesses list of the charge sheet.

Fix 10.02.2026 for cross examination of PW1 and PW2 and

fix 11.02.2026 for cross examination of PW3 and PW4.

Accused be produced on the dates fixed.

Prosecution is directed to take proper step to ensure the presence of the witnesses.

Scrutiny of the case diary, cause list and the case record indicates that the date of hearing of this case was inadvertently fixed on 11.01.2026, a declared holiday.

BC I is directed to be vigilant in future.

Dictated and corrected by me,

Judge, Special Court
Diamond Harbour
South 24 Parganas

Judge, Special Court
Diamond Harbour,
South 24 Parganas