

**CIS No.74/2018**  
**ST- 223(09)2018**  
**CNR NO.WBSP 15-000663-2018**  
**J.O.Code- WB00859**

**Order No. 85**

**Dated: 28.06.2024**

Today has been fixed for production of all the three accused persons of this case who are in J/C and further cross examination of PW18.

All the three accused persons of this case have been produced from J/C.

The Ld. Defence counsels of all the three accused persons are found present.

The Ld. P.P. in-charge of this case namely, Sri Amit Kumar Das is also found present.

P.W.18, Inspector Krishnendu Biswas, the 2<sup>nd</sup> I.O. of this case is present. He has come from the District of Purulia to complete his evidence in this case.

The newly engaged P.P. in-charge of this case, Sri Amit Kumar Das has filed a petition stating that he has not been handed over the case diary of this case as yet. In his said petition he has stated that he has already sent letter to the L.R., Directorate of Prosecution of the State, Chief P.P. of District South 24 Parganas as well as the Superintendent of Police of Sundarban Police District intimating them the said fact of not receiving the C.D. of this case.

Ld. P.P. in-charge submitted that in spite of his aforesaid efforts to get the C.D. of this case, till date he has not received the C.D.

From the record it appears that cross examination of P.W.18 was lastly held on 18.11.2023. Since then the matter could not progress due to non availability of the earlier P.P. in-charge of this case. This Court had to pass an order on 29.02.2024 seeking interference of the Ld. District Judge, Alipore, so that a new P.P. can not be appointed in this case. Copy of the said order dated 29.02.2024 was sent to the Ld. District Judge Alipore, South 24 Parganas as well as Ld. District P.P. South 24 Parganas and L.R., Government of West Bengal.

After passing of the said order, Ld. Advocate Sri Amit Kumar Das has been appointed as the P.P. in-charge of this case from the office of L.R., West Bengal. He filed his appointment letter before this Court on 22.05.2024. Thereafter the case has been fixed today for further cross examination of P.W.18.

Today although the witness, the accused persons, the Ld. P.P. in-charge and the Ld. Advocates of all the accused persons are present, the case could not proceed due to want of the C.D.

This is very much unfortunate. Specially when the accused persons are in custody and there is a specific order of the Hon'ble High Court of Calcutta for expeditious hearing of this case.

In the aforesaid circumstances, the P.P. in-charge of Kakdwip Sub Divisional Court is requested to take up the matter immediately and hand over the C.D. of this case to Sri Amit Kumar Das, the present P.P. in charge of this case, and submit a compliance report before this Court on 09.07.2024.

Fix 24.07.2024 for production of the accused persons.

Let a copy of this order be sent to the P.P. in-charge of Kakdwip Sub Divisional Court for his information and necessary action.

Let a copy of this order be also sent to the Head Public Prosecutor of the District of South 24 Parganas for his information.

D/C by me,

Sd/- A. Chattopadhyay  
A.S.J. 2<sup>nd</sup> Court, Kakdwip  
South 24 Parganas

Sd/- A. Chattopadhyay  
A.S.J. 2<sup>nd</sup> Court, Kakdwip  
South 24 Parganas

