

CIS-34/2023
ST-02(10)2023
SC-06(08)2023
(J.O.Code-WB00875)

Order No. 30
Dated: 05.12.2024.

Today is fixed for production, appearance and evidence of CSW-3 and hearing of petition u/s 231 Cr.PC filed on 03.12.2024.

Three accused persons namely Mithun Naskar, Tarun Naskar and Badal Naskar are produced from J/C and they are represented by their Ld. Counsel.

Four accused persons namely Ratan Naskar, Sujan Naskar, Sannyasi Naskar and Panchanan Mondal are present by filing hazira.

Rest one accused person namely Lakkhi Naskar is present by filing hazira.

Ld. PP in charge namely Sri Dulal Chandra Dolai files hazira for the State along with hazira of Champa Naskar.

It is now 2:15 p.m.

Both sides are present.

The case record is taken up for hearing of petition u/s 231 Cr.PC for accused Panchanan Mondal and three others.

Heard both sides.

At the very outset, Ld. Defence Counsel for accused Panchanan Mondal and three others submits that under column 14 of charge sheet witnesses, the serial no. 2 has been doubled. It is submitted that CSW-1 to CSW-6 (i.e. seven witnesses) as per doubled cited witnesses and CSW-10 are near relatives of complainant and injured and hence, their cross examination is required to be taken after completion of their examination in chief. Hence, is the instant prayer.

Ld. PP in charge opposes the petition and submits that there is no document to show that CSW-1 to CSW-6 and CSW-10 are family members and near relatives and there is also no document to show that they reside in the same premises.

To this Ld. Defence Counsel submits that the contents of charge sheet itself shows that these aforesaid witnesses are of same family.

Considering, all aspects and on hearing submission of both sides, it appears that in the interest of proper justice, the prayer of Ld. Defence Counsel u/s 231 Cr.PC ought to be allowed.

Accordingly, the petition u/s 231 Cr.PC filed on 03.12.2024 is allowed.

The case record is kept pass over and will be taken up at 3:00 p.m. for evidence of witness in attendance.

Dict. & Corr. by me

Additional Sessions Judge, 1st Court
Kakdwip, South 24 Parganas.

Additional Sessions Judge, 1st Court
Kakdwip, South 24 Parganas.

Later:

It is now 3:10 p.m.

Both sides are present.

Double CSW-2 Champa Naskar is examined in chief as PW-1 in part and deferred on prayer of Prosecution.

To date i.e. 06.12.2024 for production, appearance, further evidence of PW-1 (CSW-2) and CSW-4.

Prosecution to intimate the next date to PW-1.

Dict. & Corr. by me

Additional Sessions Judge, 1st Court
Kakdwip, South 24 Parganas.

Additional Sessions Judge, 1st Court
Kakdwip, South 24 Parganas.