

29/12/2025

Today is fixed for Evidence of CSW no. 1 & 2.

One accused is present, remaining are absent.

No witness is present.

SR of CSW no. 1 is received with a report that the witness used to live at the given address as a tenant, but she does not reside there at present. There is no trace of witness.

SR of CSW no. 2 is received with report that the witness does not reside at the given address.

Ld. Advocate for the accused prays for passing of necessary order.

Record shows that the instant case started on 09-05-2011. Then on 27-03-2017 charge was framed. The accused persons are facing trial for allegedly committing offence u/s. 448/323/354/34 of IPC. The collective maximum punishment if found guilty is four years of imprisonment and fine of Rs. 2000/- and more.

After framing of charge summons upon CSW no. 1 was issued several times. She was not found at the address noted in the written FIR and formal FIR. Thereafter summons was sent to another address provided by prosecution, but she was also not found there. CSW no. 2 was also not found at the given address.

More than 08 years have passed since framing of charge, but not even a single witness is produced and examined. CSW no. 1 is the de facto complainant cum sole victim of the case. She was not found at both the address provided by the prosecution. Examination of remaining witness will be futile without examining the victim. At this moment it appears that the witness is untraceable. The accused persons cannot be made to suffer due to non production of CSW no. 1. It needs to be noted that there is no instance of record being held up due to act of the accused persons since framing of charge.

In view of the above the prosecution is given a special opportunity to provide proper details of CSW no. 1 .i.d. the accused persons shall be given relief as per law.

Day adjourned.

To 11-03-2026 for Evidence .i.d. necessary order.

D/C by me

ACJM, Kakdwip

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