

11/03/2026.

Today is fixed for Evidence .i.d. necessary order.

One accused is present and remaining are absent. Petition u/s. 317 of CrPC is filed.

No witness is present.

Ld. Advocate for the accused persons prays for closure of evidence.

Record shows that de facto complainant listed as CSW no. 1 is the sole victim of this case. Summons was issued numerous times and the same was received with the report that she was not found at the given address. The prosecution provided new address, but the same report came. The prosecution was directed to furnish proper address of de facto complainant, but the same is not provided till date.

As things stand the de facto complainant could not be found at the address given in the FIR, formal FIR and later new address provided by the prosecution. The case is pending since 09/05/2011 and the recording of evidence commenced on 02/08/2017. But till date no witness is produced and examined by the prosecution. Examination of remaining CS witness will be futile if the victim is not examined. The sole victim is untraceable and prosecution is not able to produce and examine her. The accused persons are contesting the case since the lodging of FIR and there is no record of accused persons absconding during trial.

Considering the failure of prosecution to trace, produce and examine de facto complainant cum sole victim of the case, I am of the view that the accused persons are entitled to get the relief.

Accordingly, prosecution evidence is closed. All the accused persons are directed to remain present on the next date fixed positively.

Day adjourned.

To 27/03/2026 for order.

D/C by me

ACJM, Kakdwip

ACJM, Kakdwip