

Sessions Case No.89 of 2022
CNR No. WBUD01-001040-2022
JO Code No. WB00700

Order no.13

Dated: 19.12.2025

The case is posted today and tomorrow for cross-examination of PW-1, PW-2 & 3.

Out of two accused persons, one is present by filing hazira and one is represented u/s 317 of Cr.P.C.

PW-1 Abid Md. is present. But from the submission of defence as well as prosecution, it appears to me that on 20.01.2024, an application u/s 231(2) of Cr.P.C was filed for deferring the cross-examination of PW-1 Abid Md. till completion of examination in chief of Nurjahan Begam and Najena Khatun. From record, it appears that examination-in-chief of Nurjahan Begam is completed but examination of Najena Khatun has not yet been made.

As a result, I am of the view that cross-examination of PW-1 is not possible if not examination of Najena Khatun is done. Accordingly PW-1 Abid Md. is discharged without examination.

At the same time, prosecution is directed not to produce PW-2 and PW-3 on the next date i.e tomorrow. However, prosecution is again directed to produce CSW-1 Najena Khatun positively to render proper adjudication.

Accordingly, the case is adjourned for ends of justice.

To date ie **20.12.2025** for examination of CSW-1 Najena Khatun.

Prosecution to take effective steps to ensure the attendance of witnesses.

Accused must remain present on the date fixed.

Typed and corrected by me.

Sessions Judge,
Uttar Dinajpur

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