

Spl. PA 02 of 2017
CNR WBUD01-000825-2017
JO Code No.WB00883

Order No.38
30.01.2026

- 1) Today is fixed for appearance and cross examination of PW.1 and PW.2.
- 2) All the accused persons, who are on bail are absent but one application is filed by their Ld. Lawyer with a prayer for permitting him to represent them u/s 317 of Cr.PC.
- 3) Unfortunately, on repeated calls, Ld. Lawyer representing the accused persons is not present in Court.
- 4) It is now 11.25.
- 5) Ld. P.P in charge files hazira.
- 6) No witness is present.
- 7) However, it appears from the record that it was on 30.07.2019, after examination of PW.1, one application was filed on behalf of the accused persons u/s 231 Cr.PC praying for deferring the cross-examination of PW.1 till examination of CSW No. 4, 9 and 11.
- 8) This Court does not find any specific order over the said application dated 30.07.2019, but record speaks that prosecution has examined six witnesses including CSW No. 4, 9 and 11 in respect of whom prayer u/s 231(2) of Cr.PC was made on 30.07.2019.
- 9) Therefore as a matter of fact, prosecution has two more witnesses beyond scope of Section 231(2) of Cr.PC.
- 10) However, as no prejudice is caused to the accused persons due to such procedural laps, this Court does not find any ground to go into the merit due to this procedural laps any further.
- 11) However, for want of prosecution witness, the case is adjourned with a direction upon the prosecution to ensure the appearance of the witnesses for their cross examination as per schedule fixed herein below.
- 12) Fixing **04.04.2026** for cross-examination of PW.1 and 2.
- 13) Fixing **07.04.2026** for cross-examination of PW.3 and 4.
- 14) Fixing **09.04.2026** for cross-examination of PW.5 and 6.
- 15) Issue summons accordingly.

D/C by me

Judge, Special Court,
1st Court, Raiganj, Uttar Dinajpur.

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1st Court, Raiganj, Uttar Dinajpur.