

CRR No.1202 of 2024

In the matter of : Apratim Haldar petitioner.

Mr. Kaustav Chatterjee
Mr. Dipankar Guha ...for the petitioner.
Mr. Arijit Ganguly ...for the State.

Affidavit of service filed by the petitioner is taken on record.

None appears for the private opposite party despite service.

The petitioner has assailed the order dated 3rd February, 2024 passed by the learned Additional Sessions Judge, Court-II, Bongaon in Sessions Trial No.06(01)23. By the said order, the learned trial Court has closed the evidence of PW 6 and discharged the witness.

Heard learned counsels for the parties represented.

It appears that on 2nd February, 2024, PW 5 was examined in full and discharged. At the time of examination of PW 6 on 3rd February, 2024, an adjournment was sought on the ground of learned senior counsel appearing for the accused/petitioner. The prayer was turned down by the learned trial Court with certain caustic observation. However, since the petitioner seeks to cross-examine PW 6 for the purpose of defending his

cause, he may be permitted to do so in the interest of justice.

In view of the above, the order impugned dated 3rd February, 2024 passed by the learned trial Court in ST 06(01)23 insofar as the cross-examination of PW 6 was closed and the witness discharged is quashed/set aside.

The petitioner is permitted to cross-examine PW 6 on the scheduled dates of evidence fixed by the learned trial Court, without seeking any adjournment on any ground whatsoever.

The learned trial Court is directed to cause issuance of summons upon PW 6 for his appearance on the next date of hearing fixed before the learned trial Court for cross-examination.

This order be communicated to the learned trial Court at once.

The revisional application being CRR 1202 of 2024 is disposed of.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)