

28.4.2026
13.
BD

CRR 770 of 2026

Amir Sekh
Vs.
The State of West Bengal & Anr.

Mr. Amit Roy ...for the Petitioner

The petitioner herein submits that recording of evidence of both the parties closed and the matter was fixed for argument. At that stage complainant realized that one fresh document is required to be filed. Accordingly, he filed a petition for recalling PW 1 only to drag the proceeding. However, learned trial court allowed the said prayer for recalling PW1 relying upon the complainant's submission that she could not submit the birth certificate of her son at the time of adducing evidence.

Being aggrieved by the said order, an appeal was preferred being Criminal Appeal No. 06 of 2024 before the Sessions Judge, Uttar Dinajpur, and the Appellate Court also by an order dated 28.11.2025 observed that the order passed by the trial court is a reasoned order and on perusal of the relevant provision of law he did not find any perversity or impropriety in the order impugned passed by the trial court.

Having heard learned counsel for the petitioner, I find that there is no merit in the instant application and as such the instant application being CRR 770 of 2026 stands dismissed.

However, trial court is directed to conclude the evidence of PW 1 on recall preferably within a period of thirty days from the date of communication of this order, so that delay in disposal of case may not cause prejudice to either of the parties.

Urgent Photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)