

13.

Ct.29

CRR 1511 of 2026

07.04.2026

Bd.

Raju Kumar Shaw

-vs-

The State of West Bengal

Mr. Ayan Bhattacharya
Mr. Dipta Dipak Banerjee ... for the petitioner

In this application petitioner has prayed for setting aside the orders dated 19.03.2026 and 24.03.2026 and all subsequent orders passed by learned Additional District and Sessions Judge, Fast Track Court, Chandannagar in S.T. 10 of 2018 corresponding to GR Case No. 1426 of 2017 arising out of Bhadreswar Police Station Case No. 441 dated 22.11.2017 under sections 302 and 34 of the Indian Penal Code.

By the impugned order dated 19.03.2026 the court below recorded that it appears from the record that the cross-examination of PW- 27 is continuing for a considerable period of time but the learned advocate for the accused has failed to conclude his cross-examination and therefore the Court is of the view that in spite of giving ample opportunities to the accused/petitioner herein, he has failed to cross-examine the witnesses and therefore he closed the prosecution evidence and thereafter he also closed the examination of the accused person under section 313 Cr.P.C. as allegedly the accused declined to answer any question on the ground that his cross-examination of PW-27 has not yet been completed.

Having heard learned counsel for the petitioner, I find that the order by which this Court proposes to dispose of this

application will not affect the opposite party and as such service of copy of application upon the opposite party is dispensed with.

Having considered the facts and circumstances of the case and materials available in the record, the instant application being CRR 1511 of 2026 is hereby disposed of with a direction upon the Court below to secure attendance of PW-27 within a period of three weeks from the date of communication of the order on which date the petitioner herein will conclude his cross-examination or within a period of two weeks thereafter. The Court below thereafter will take all necessary steps to examine the accused persons under section 313 Cr.P.C. and after giving opportunity to the petitioner to give defence witness and after hearing argument the court below will also pronounce judgment, preferably within a period of three months thereafter.

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

(Dr. Ajoy Kumar Mukherjee, J.)