

05-12-2023
Subha
Item no. 46
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1192 of 2023

Giasuddin Mondal.
-versus-
State of West Bengal

Mr. Robiul Islam
Mr. Masooq Rahaman
.....for the petitioner.
Mr. Anwar Hossain
...for the State.

Petitioner is directed to serve a copy of the revisional application upon Mr. Anwar Hossain, learned advocate, who ordinarily appears on behalf of the State. His appointment may be regularized by the concerned Authorities in due course.

Learned advocate for the petitioner/de facto complainant submits that the present case being Domkal P. S. Case No. 399 of 2028 was registered under Sections 302/34 of the Indian Penal Code. Chargesheet was submitted and the case was committed to the court of Sessions being Sessions Serial Case No. 269 of 2020. However, till date because of the conduct of the accused persons charge could not be framed.

Having regard to the fact that the case was initiated almost five years ago, I am of the view that the learned trial court without any further delay would conclude the process of consideration of charges on the next date so fixed or within a month thereafter.

In case any of the accused persons is absent, the learned trial court would be at liberty to modify the order of bail so granted. All efforts be taken and all harsher measures be informed to the accused persons in case a strategy is adopted

for delaying the process of the court. The learned trial court if after consideration of charges is of the opinion that trial of the case is to be progressed in that case a schedule be fixed consisting of three dates and such schedule be fixed once in every forty-five days so that the trial of the case can be taken to its logical conclusion within a reasonable period of time.

No unnecessary adjournments should be granted to any of the parties.

In case a witness is reluctant to appear, the concerned SDPO/Additional SP be informed for assessing the availability of the witnesses and ensuring their appearance if possible.

A report be submitted in case a witness is not available so that the trial of the case can proceed smoothly.

With the aforesaid observations, the revisional application being CRR 1192 of 2023 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]

