



**HIGH COURT OF TRIPURA
AGARTALA
Crl.P.No.67 of 2025**

Shri Dibakar Roy
S/o- Shri Dilip Roy
Resident of Banamalipur, PS- East Agartala,
P.O- Agartala, Dist.- West Tripura, PIN- 799001

---- Petitioner(s)

Versus

The State of Tripura
Represented by the Secretary
Department of Home,

-----Respondents

For Petitioner(s)	:	Mr. Suman Bhattacharjee, Adv.
For Respondent(s)	:	Mr. Raju Datta, P.P.
Date of Hearing & Judgment and Order	:	06.05.2026
Whether fit for Reporting	:	NO

HON'BLE MR. JUSTICE BISWAJIT PALIT

Judgment & Order(Oral)

Challenging the order dated 31.05.2025 passed by Learned J.M. 1st Class, Dharmanagar, North Tripura in connection with case No.PRC (SP) 05 of 2024 the present petitioner-accused by invoking the jurisdiction of the this High Court under Section 482 of Cr.P.C. prayed for setting aside the said order and to discharge the petitioner-accused from the said case.

02. The matter has been heard finally today. At the time of hearing, Learned Counsel for the petitioner-accused drawn the attention of the Court that the said case is

pending for disposal before the Learned Trial Court. In that case charge-sheet was submitted and the case was posted for recording of evidence and summons was issued upon the informant but the same returned unserved with report that the informant has been expired. So, Learned Counsel submitted that since the informant has expired, so, nothing survives new for adjudication and other witnesses of the prosecution are seizure list witnesses. But the Learned Trial Court inspite of filing application did not consider the same and proceeded further for recording examination of the rest witnesses.

Learned Counsel at the time of hearing failed to show any legal provision under Cr.P.C. by which the Court could pass appropriate order or this Court can pass appropriate order in this regard. Because according to prosecution, the case was registered on the basis of a police charge-sheet and after concluding the evidence on record of the prosecution it is the Trial Court who is to decide the fate of the case either of acquittal or of conviction of the accused person. If during trial no materials reveals against the petitioner in that case, the petitioner-accused will definitely get the benefit. But till conclusion of trial, there is no scope to give any observation in this regard.

03. In this case, prosecution in total has cited five witnesses. So, considering the number of witnesses cited by

I.O. in the charge-sheet, it appears to this Court that the Learned Trial Court may dispose of the case within a short span of time, since the case was registered in the year 2023.

Hence, it is ordered that the Learned Trial Court shall after receipt of the case record call upon the witnesses of the prosecution and conclude the trial within a period of three (03) months from the date of receipt of the copy of this order affording reasonable opportunity to the petitioner-accused.

Alternatively, the Learned Trial Court may apply the provision of Section 258 of Cr.P.C. if the circumstances of the case so requires.

With this observation, this writ petition stands disposed of.

Send down the record to the Learned Trial Court along with a copy of this judgment/order. Also supply a copy of this judgment/order to Learned Counsel for the petitioner-accused.

The petitioner-accused shall appear before the Learned Trial Court on 22.05.2026.

Pending application(s), if any, also stands disposed of.

JUDGE

PURNITA DEB

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