

Sr. 34
10-12-2020
s. d.
ct, no.42

CRR 798 of 2020

In Re : **Krishnakant Roy @ Krishna Kanta Roy** ..petitioner.

In the matter of : An application under Section 483 of the
Code of Criminal Procedure.

Mr. Koustav Bagchi

.....for the petitioner.

Mr. S. G. Mukherji, PP
Mr. Arijit Ganguly

...for the State.

Learned advocate appearing for the petitioner is aggrieved by the manner in which the G. R. Case No. 345 of 2014 arising out of Santipur P. S. Case No. 59 of 2014 is proceeding before the learned Judicial Magistrate, 1st Class, 2nd Court at Ranaghat, Nadia.

The grievance of the petitioner is that although charges have been framed in the year 2014 but till date no witness has been examined at the instance of the prosecution.

Mr. Arijit Ganguly, learned advocate appears for the State.

The order-sheet reflects that although the learned court was pleased to issue summons upon the witnesses,

but none of the witnesses were present on 30.10.2018 and subsequently on 22.03.2019 the case could not proceed as 21st March, 2019 was a holiday.

It is also seen from the available orders that the present petitioner was present in court on several occasions and had been diligently attending the court.

It has been brought to the notice of the court that there are seven witnesses in which the prosecution proposes to rely.

In view of the fact that more than six years have passed since the charges were framed in this case, the learned Magistrate would specially direct the Officer-in-Charge, Santipur Police Station to coordinate with the witnesses who are named in the chargesheet and on whom the prosecution proposes to rely in the trial of the case.

The learned trial court is further directed to insist upon the reports regarding the availability of the witnesses on the dates so fixed by the court from the Officer-in-Charge of the same police station.

It is further directed that the trial court would fix schedule of dates on each and every month for the progress of the trial of the case and in case any witness is absent without any valid reason, the learned court would be at liberty to exhaust the harsher process of law.

No time schedule is fixed for the present, however, the learned court would be at liberty to take all

necessary steps for taking the trial to its logical conclusion within a reasonable period of time, preferably by December, 2021.

With the aforesaid observations, CRR 798 of 2020 is disposed of.

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

(Tirthankar Ghosh, J.)