

22.12.2020

Item No.4
Ct.No.42
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 3024 of 2019

**Raja Murad Gazi @ Bappa & Anr.
versus
The State of West Bengal**

Ms. Sonali Das ... For the Petitioners.

Mr. Arijit Ganguly ... For the State.

Learned advocate for the petitioners are present in Court.

The petitioners are aggrieved regarding the progress of the case before the learned Additional Sessions Judge, 6th Court, Barasat in respect of Case No. N-43/2019 arising out of Swarupnagar P.S. Case No. 72/2019 dated 16.02.2019.

The learned advocate for the petitioners submits that the petitioners were arrested on 16.02.2019 and since then, they are in custody and even after the investigation was completed and charge framed on 20.12.2019, but till date none of the witnesses has been examined.

I have perused the order-sheet which reflects that after 20.12.2019, date was fixed in the month of April 2020, but due to pandemic, nothing could be proceeded before the learned trial court.

The learned advocate for the petitioners are directed to serve a copy of the application upon Mr. Arijit Ganguly, learned advocate who ordinarily appears for the State.

Having regard to the fact that the charge-sheet reflects only 9 witnesses are to be examined and all of them are

associated with the government department, I am of the opinion that steps are required to be taken by the learned court below for expediting the progress of the case in view of the fact that the petitioners are languishing in custody from 16.02.2019. As the roster of the concerned court is not before this Court, no time schedule can be fixed for the present, but the office of the learned trial court would communicate with the learned public prosecutor concerned for getting an assurance regarding the availability of the witnesses and the dates for evidence should be fixed after the learned public prosecutor assures the court regarding the availability of the witnesses. As all the witnesses are associated with the government department, no unnecessary delay should be entertained by the court and no adjournment should be granted on any flimsy grounds to either the witnesses or the parties.

The learned trial court is further directed to fix regular dates and schedule, so that within a reasonable period of time, the trial of the case can be taken to its logical conclusion.

With the aforesaid observations, CRR 3024 of 2019 is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with the necessary formalities.

(Tirthankar Ghosh, J.)