

CRR 1326 of 2020
CRAN 1 of 2020

In the matter of : **Siddhartha Mondal**

Mr. Ratan Das For the petitioner

Mr. Saibal Bapuli, Ld. APP
Ms. Sayanti Santra ...For the State

In this revisional application an appropriate order has been sought for a speedy disposal of trial being S.T. No. 05(08) 2013 pending before the learned 18th Additional District and Sessions Judge, Alipore, 24 Parganas (S) in connection with Bishnupur P.S. Case No. 317 of 2010 S.T. No. 5(8) 2013 under sections 18B,19,20 UAP Act, 1967 as amended in 2008 read with sections 121, 121A,122, 124A, 120B I.P.C. and sections 25/27/35 of the Arms Act and sections 3 & 5 of E.S. Act.

There is only one petitioner namely, Siddhartha Mondal in jail who has sought for a speedy trial and conclusion of trial, Mr. Das learned advocate –on-record of the petitioner submits that the petitioner is suffering incarceration for about 10 years without trial being concluded. It is further pointed out that the speedy trial is a fundamental right of a citizen. It is contended that argument has already been heard out for all the seven accused persons save and except one accused but the case is being dragged.

It would appear that the petitioner was granted bail by this Hon'ble court on 18.06.2014 being C.R.M. No. 6873 of 2014 but the

State of West Bengal challenged the said order of the Hon'ble High Court at Calcutta before the Hon'ble Supreme Court of India in S.L.P. No. 6173 of 2014 and after considering the matter, the Hon'ble Supreme Court of India admitted the same and the bail order was cancelled and the petitioner is now detained in jail custody..

To my understanding upon hearing learned advocate for the State, the delay, if any, in the matter of conclusion of the trial, is only because of the pandemic situation due to COVID-19 and the trial Court cannot be blamed for the delay in conclusion of the trial. Considering the cumulative stage of the argument, the revisional application is disposed of with a direction to the learned trial court to conclude the argument and to decide the case on its merit as per law and in accordance with the evidence on record within three months from the date of communication of this order.

Thus revisional application being C.R.R. 1326 of 2020 and C.R.A.N. 1 of 2020 are disposed of.

(Shivakant Prasad, J.)