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CRR 1395 of 2020

Jahar Sha
Vs.
State of West Bengal

Mr. Sourav Chatterjee
Ms. Susmita Chatterjee
Mr. Soumya Nag
Mr. Kaustav Bhattacharya
...for the petitioner

Mr. S. G. Mukherjee, Ld. P.P.
Mr. N. Ahmed, Ld. A.P.P.
Mr. Ranabir Roychowdhury
...for the State

This is an application under Section 227 of the Constitution of India praying for expeditious disposal of proceeding being S.T. No.1 (03) of 2020 (S.C. 33 of 2020) pending before the learned Additional Sessions Judge, 3rd Court, Tamluk, Purba Medinipur arising out of Panskura Police Station Case No.495 of 2019 dated 08.10.2019 under Sections 302/120B/174A of the Indian Penal Code and under Sections 25/27 of the Arms Act.

The defacto complainant of the aforesaid case is the petitioner before this Court. The petitioner has canvassed certain orders, viz., 2nd March, 2020, 11th March, 2020 and finally 14th September, 2020 to show that the accused persons /opposite parties who are in custody are trying tooth and nail to drag

the proceeding of the case. Due to such procrastination of trial in spite of best effort of the learned trial Judge, trial cannot be proceeded with.

Learned P.P. fairly submits that the defacto complainant prays for expeditious disposal of the case. There is specific direction both in judicial as well as administrative side that the cases where the accused persons are in custody are to be disposed of expeditiously.

For the reasons stated herein, the instant application under Section 227 of the Constitution of India is disposed of directing the trial Judge to complete the hearing of the case expeditiously by making a calendar for examination of witnesses in sessions cases either physically or by virtual mode. It is expected that the learned advocate for the accused persons will co-operate with the learned trial Judge by cross-examining the witnesses on behalf of the prosecution without praying for any unnecessary adjournment.

Let a server copy of the order be sent to the learned trial Judge through the learned advocate for the petitioner which will be treated as official communication by the learned trial Judge.

(Bibek Chaudhuri, J.)

