

Court No.
13
Item no.
12
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C.R.R. 1419 of 2020

20.10.
2020

(via video conference)

In the matter of :- **Sk. Mojammel @ Mojammel Sekh**

Mr. Debabrata Acharya
Mr. K. K. Bhattacharyya
.....for the petitioner

Mr. Binay Panda
Ms. Puspita Saha

.....for the State

Although this is a case for quashing of a proceeding under Sections 323 and 341 read with Section 34 of the Indian Penal Code, the learned counsel appearing on behalf of the petitioner submits that the petitioner would not like to press the application for quashing and would instead pray for an expeditious disposal of the proceeding.

Let a copy of the application be served upon Mr. Binay Panda, learned advocate, who is present in court today and who ordinarily appears on behalf of the State. His engagement may be regularised in due course by the competent authority of the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The case was started as far back in 2014. On 17.08.2016, the petitioner pleaded not guilty to the charges. But, thereafter the proceeding has remained pending for no fault on the part of the

petitioner. The petitioner is a teacher in a government school. If the proceeding is not concluded at the earliest, the petitioner shall be severely prejudiced, especially in respect of his service.

Learned counsel appearing on behalf of the State, in his usual fairness, submits that it will be in the interest of justice that the impugned proceeding is expedited.

I have heard the submissions of the learned counsels appearing on behalf of the petitioner and the State and have perused the revision petition.

No prejudice will be caused to any one if a direction is passed for an expeditious disposal of the proceeding.

It appears that for a case under Sections 323, 341 read with Section 34 of the Penal Code, the proceeding is pending for an unduly long time.

In view of the above and in the interest of justice, I request the learned trial court to conclude the proceeding as expeditiously as possible without granting any unnecessary adjournment to any of the parties, preferably within a period of six months from the resumption of normal functioning of the Court.

With these observations, the revisional application is disposed of.

(Jay Sengupta, J.)

