

25.11.2020
CT No.19
Item No.11
pk

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION

CRR No. 1464 of 2020

In the matter of:- Dipak Chakraborty
petitioner

Mr. Brajesh Jha,
Mr. Saket Sharma for the petitioner

Mr. Saswata Gopal Mukherjee, Ltd. P.P.,
Mr. Ranabir Roy chowdhury,
Mr. Rudradipta Nandy for the State

Mr. Rajdeep Majumder,
Mr. Ayan Bhattacharyya,
Mr. S. Nag for the O.P. No. 2

Vide order dated 4th September 2020 in CRR No. 1095 of 2020 a Co-ordinate Bench of this court disposed of a criminal revision directing the trial court to recall PW-1 and carry out the examination-in-chief and cross-examination on the next date. The learned Trial Judge scrupulously followed the order passed by this court in the abovementioned revision. Then date was fixed on 16th October 2020 for identification of seized articles by P.W.-1 and cross-examination. On that date, the learned advocate for the accused persons prayed for adjournment on the ground that the necessary papers were not available with him.

The prayer was allowed. Fixing 26th November 2020 for cross-examination of P.W.-1.

In the meantime, one of the accused has filed the instant revision alleging, inter alia, that the examination-in-chief was conducted in the absence of the learned advocate for the petitioner. However, the certified copy of the order produced from the lower court record do not suggest the truthfulness of the petitioner's case.

The petitioner was given ample opportunity to cross-examine P.W.-1.

Under such circumstances, the instant revision is disposed of directing the accused persons to take part in the trial of the case fixed on 26th November 2020 through their learned advocate and conclude the cross-examination of P.W.-1.

The petitioner is directed to communicate this order to his learned advocate in the trial court in course of this day over telephonic message as well as electronic message.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Bibek Chaudhuri, J.)