

Sr. 33
07-12-2020
s. d.
ct, no.42

CRR 1700 of 2020

In Re : Kartick Dasfor the petitioner.

In the matter of : An application under Section 482 of the
Code of Criminal Procedure.

Mr. Sudip Ghosh Chowdhury
Mr. Argha Das
Mr. Abhishek Bose
.....for the petitioner.

Mr. S. G. Mukherji, Ld. P. P
Mr. Arijit Ganguly
.....for the State.

The learned advocate appearing for the petitioner submits that the petitioner is in custody since 27th May, 2018 and according to him charge has been framed but the witnesses are not appearing in the case. As such there is no progress in the trial.

Mr. Mukherji, learned Public Prosecutor along with Mr. Arijit Ganguly, learned advocate appears on behalf of the State. As it has been submitted that all the witnesses belong to the Police Department, the learned special court is directed to exhaust the process for appearance of the witnesses. The Order No. 49 dated 18.11.2020 reflects that

the next dates have been fixed on 16th January, 2021 and 18th January, 2021.

In view of the dates which have been fixed, I direct the learned trial court to resort to harsher process of law. In case the CSW no. 1 and CSW no. 2 are not present on the next dates so fixed, the learned trial court would direct its Office to issue the process in respect of the witnesses so intended to be examined within a schedule time from the date of passing of the order so no excuse is given by the witnesses concerned who belong to the Police Department.

The learned trial court is also directed to fix schedule on each and every month in respect of the instant case so that there is no further delay. All efforts must be taken by the learned trial court so that the trial may be concluded within a reasonable period of time.

With the above observations, CRR 1700 of 2020 is disposed of.

Urgent Photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Tirthankar Ghosh, J.)