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Ct.42

**CRR 1746 of 2020**

**(Via Video Conference)**

**Prodip Kumar Kundu**  
**Vs.**  
**The State of West Bengal & Anr.**

Mr. Avinaba Patra  
...for the petitioner

Mr. S. G. Mukherjee, Id. P.P.  
Mr. Arijit Ganguly  
...for the State

Learned advocate for the petitioner is aggrieved by the manner in which G.R. Case No.2083 of 2012 is proceeding before the Court of the learned Judicial Magistrate, 3<sup>rd</sup> Court, Barrackpore arising out of Titagarh Police Station Case No.280 of 2012 dated 18.05.2012 under Sections 325/506/34 of the Indian Penal Code.

Learned advocate for the petitioner is directed to serve upon Mr. Arijit Ganguly, learned advocate who ordinarily appears for the State.

In view of the fact that only seven witnesses have been relied upon by the prosecution and none of the witnesses has been cross-examined till date.

I direct that the learned Judicial Magistrate 3<sup>rd</sup> Court, Barrackpore on and from the next date in

connection with the instant case would fix at least one date in the month for the purpose of the instant case and direct the Public Prosecutor appearing for the State to communicate with the concerned police authorities for appearance of the witnesses on the dates so fixed. In case any witness is not present on the date so fixed learned Court would be at liberty to exhaust harsher process of law. No unnecessary adjournment should be granted to either of the parties and in case the accused persons do not co-operate with the Court or an impediment is created by any of the parties for the smooth progress of the trial, the learned trial Court would impose costs. No time schedule is fixed for the present. However, the learned trial Court is directed to take all measures so that the trial of the case can be taken to its logical conclusion within a reasonable period of time.

With the aforesaid observations CRR 1746 of 2020 is disposed of.

**(Tirthankar Ghosh, J.)**