

CRR 1759 of 2020

**Limon Malakar & Anr.
Vs.
State of West Bengal**

**Mr. Angshuman Chakraborty
Mr. Shashanka Sekhar Saha
.....For the Petitioner
Mr. Madhusudan Sur, Ld. A. P. P.
Mr. Manoranjan Mahata
.....For the State**

Mr. Sur, learned advocate for the State submits that the chemical examiner's report has been filed before the Special Court on 25.11.2020.

The learned advocate for the petitioner submits that the next date is fixed in the month of February, 2021. The petitioner is in custody since 03.09.2019 that is for more than a year and till date because of the Investigating Agency not being able to complete the investigation, the stage for consideration of charge could not be completed.

In view of the grievance expressed by the learned advocate for the petitioner, I find that the same is justified. Accordingly, the learned Special Court is directed to complete the process of consideration of charge in the month of February, 2021 or within a week from the date so fixed. The learned court is directed to see that the trial of this case is expedited in such a manner that within a reasonable period of time the evidence can be completed.

The learned advocate for the petitioner draws the

attention of this court to the list of witnesses which are seven in number and all of them belong to the Government Department.

In view of the aforesaid the learned Special Court is directed to get an assurance from the Public Prosecutor regarding the availability of the witnesses on the dates so proposed to be fixed and thereafter fix the dates for evidence. In case any witness is absent without any cogent reason, the learned trial court would invoke harsher process of law. No unnecessary adjournment should be granted to either of the parties.

The learned trial court is directed to take all efforts to take the trial of this case to its logical conclusion within a reasonable period of time.

With the aforesaid observations CRR 1759 of 2020 is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on priority basis after compliance with all necessary formalities.

(Tirthankar Ghosh, J.)