

16.12.2020

Item No.65
Ct.No.42
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 1778 of 2020

**Bikram Mondal
versus
The State of West Bengal**

Mr. Angshuman Chakraborty,
Mr. S. S. Saha ... For the Petitioner.

Md. Anwar Hossain,
Ms. Sreyashee Biswas ... For the State.

Learned advocate for the petitioner is present in Court.

The petitioner is aggrieved by the manner in which the case No. N 71/18 is progressing before the learned Additional District and Sessions Judge, 6th Court, Barasat.

The learned advocate for the petitioner submits that the petitioner was arrested on 04.04.2018 and since then, he was in custody and police authorities after completion of investigation submitted charge-sheet on 15.09.2018 and supplementary charge-sheet was filed on 03.07.2019. The learned trial court was pleased to frame charge against the accused person on 22.11.2019. However, till date, no witness has been examined in this case.

The learned advocate for the petitioner further submits that the investigating authority has relied upon 11 witnesses in the charge-sheet and all the witnesses are associated with the government department.

The learned advocate for the petitioner is directed to serve a copy of the application upon Mr. Anwar Hossain, learned advocate who ordinarily appears for the State.

In view of the fact that the petitioner is in custody for more than two and a half years, I am of the opinion that the trial of the case should be expedited. Accordingly, the learned trial court is directed to send necessary instruction to its office so that a communication is established with the learned Public Prosecutor conducting the case for arranging the witnesses to be present on the dates so fixed.

The learned court below is further directed to fix all subsequent dates after 25.02.2021 and 26.02.2021 within a month on each occasion and get an assurance from the learned Public Prosecutor regarding the availability of the witnesses on the date so fixed. In case, any of the witnesses is absent on the date so fixed, the learned court below would be at liberty to exhaust harsher process of law, if the reasons so assigned for absence are on flimsy grounds. No unnecessary adjournment should be granted to either of the parties.

The learned court below is also directed to exercise its authority for expediting the progress of the case so that the same can be taken to its logical conclusion within a reasonable period of time.

With the aforesaid observations, CRR 1778 of 2020 is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with the necessary formalities.

(Tirthankar Ghosh, J.)