

16.04.2021
Item No.8
Ct. No.42
CHC

**C.R.R. No.693 of 2021
(Through Video Conference)**

In Re: An application under Section 483 of the Code of Criminal Procedure, 1973.

In the matter of:-

Sathi Mallik @ Sahthi Mallick
@ Sathi Mallick
.....petitioner

Mr. Debayan Ghosh,
Mr. Koustav Bagchi
... for the petitioner in virtual mode

Mr. Madhusudan Sur, Ld. A.P.P.
Mrs. Sonali Das
... for the State

The Court is approached under Section 483 of the Code of Criminal Procedure soliciting a direction to ensure expeditious disposal of G.R. Case No.2601 of 2016, under Sections 341/447/323/509/506/34 of the Indian Penal Code, now pending before the Learned Judicial Magistrate, 3rd Court, Barrackpore, North 24 Parganas.

The prime contention of learned advocate for the petitioner appearing in virtual mode is that there has been inordinate delay caused in the commencement of the trial resulting in serious prejudice to the petitioner.

The copy of this revisional application has not been served upon the State.

Mr. Sur, learned Additional Public Prosecutor is present in Court.

Since a direction in simpliciter to ensure expeditious disposal of a pending case is sought for, the Court is of the view that the instant revisional application may be disposed of upon serving a copy of the revisional application to Mr. Sur for the proper address of the issue involved in this case.

Upon perusal of the materials placed in record, Mr. Sur, submits that this is Magistrate triable case, and after submission of the chargesheet, the Court has already supplied copy to the petitioner and the learned court below could not mark the commencement of the trial for non appearance of the accused person.

Having considered the submission of both sides, the Court is of the view that the instant revisional application may be disposed of by giving direction mentioned as hereunder.

Learned court below is directed to mark commencement of the trial fixing dates within three months from the date of communication of this order with an aim to ensure expeditious disposal, and if necessary upon resorting to steps available under Section 309 Cr.P.C.

With this direction/observation, the instant revisional application stands disposed of.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

Urgent Xerox certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Subhasis Dasgupta, J.)