

**IN THE HIGH COURT AT CALCUTTA**

**Criminal Revisional Jurisdiction**

**Before:**

**The Hon'ble Mr. Justice Jay Sengupta**

**C.R.R. 704 of 2021**

Mehannara Bewa @ Mehennagar Bibi

Vs.

The State of West Bengal & Ors.

For the Petitioner : Mr. M. Chatterjee,  
Mr. Md. G. N. Imrohi.

For the State : Mr. Arijit Ganguly,  
Ms. Debjani Sahu.

Heard on : 10.03.2021

Judgement on : 10.03.2021

**Jay Sengupta, J. :**

1. This is an application seeking an expeditious disposal of a proceeding in which a charge sheet was submitted under Sections 302, 307 and 326 read with Section 34 of the Penal Code.
2. Let a copy of the application be served upon Mr. Arijit Ganguly and Ms. Debjani Sahu, learned Counsels who ordinarily appear on behalf of the State and who are present in Court today. Their engagement may be regularised by the competent authority of the State in due course.

3. Learned Counsel appearing on behalf of the petitioner submits as follows.  
The petitioner is the de facto complainant in this case. Although the First Information Report was lodged in 2011 and a charge sheet was submitted soon thereafter, till date even charges could not be framed. The accused had taken turns in absenting themselves before the learned Trial Court. Presently, a warrant of arrest is pending against a few of them. Learned Trial Court ought to have taken steps to ensure the regular attendance of the accused. In the event, warrant of arrest cannot be executed against the accused and the same remains pending for a long time, the learned Trial Court ought to split up the trial as against the non-appearing accused. The impugned proceeding has remained pending for no fault of the present petitioner.
4. Learned Counsel appearing on behalf of the State submits that an appropriate direction may be passed to expedite the proceeding.
5. I have heard the submissions of the learned Counsels appearing on behalf of the petitioner and the State and have perused the revision petition.
6. No prejudice will be caused to anyone if a direction is passed for an expeditious disposal of the case.

7. It appears that an inordinate delay was occasioned in concluding the impugned proceeding. The matter has remained pending for more than ten years and yet, even charges could not be framed.
8. In view of the above and in the interest of justice, I request the learned Trial Court to conclude the proceeding as expeditiously as possible without granting any unnecessary adjournment to any of the parties and to decide the question of framing of charge, preferably within a period of three months from the next date of hearing.
9. Learned Trial Court shall be at liberty to take stern measures to secure the attendance of the accused and even to split up the trial as against the non-appearing accused, if necessary.
10. With these observations, the revisional application is disposed of.
11. Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

**(Jay Sengupta, J.)**