

01.10.2021
Item no.4
Ct. No.39
CHC

C.R.R. No.983 of 2018
(Physical Hearing)

In Re: An application under Sections 483 of the Code of Criminal Procedure, 1973, read with Section 482 of the Code of Criminal Procedure.

AND

In the matter of:-

Kalyan Krishna Nandi
... petitioner

Mr. Kalyan Krishna Nandi
...petitioner (in person)

Mr. Saswata Gopal Mukherji, Id. P.P.
Ms. Sukanya Bhattacharya,
Md. Kutubuddin
...for the State

Affidavit-of-service furnished by the petitioner be taken on record.

None appears for the private opposite party no.1.

According to Mr. Kalyan Krishna Nandi, who appears in person, though the case has been initiated in the year 2016 and charge-sheet thereafter has been submitted upon conclusion of the investigation, but till date, charge has not yet been framed resulting in protraction of the trial and thereby affecting adversely the valuable rights of the petitioner, who is one of the accused persons in this case.

Admittedly, prayer for discharge has been rejected by the learned court below and the chargesheet in this case, has been submitted in the year 2016. Copies of the police papers, being relied upon by the prosecution, have already been supplied to the accused persons including the petitioner.

Learned advocate representing the State submits that due to abscondance of one of the accused persons, there has been some delay caused to proceed ahead with this case, and frankly submits that when copies of the police papers have already been supplied to the petitioner and another accused person, the learned court below may proceed with this case fixing date for framing of charge so as to mark the commencement of trial.

Though the case is appearing at the “To Be Mentioned” stage, but on the prayer of both the parties, the case is taken up for disposal of this case, as a simpliciter direction to ensure expeditious disposal of the pending case has been sought for.

Having considered the submission of both sides, learned court below is directed to fix a date within three months from the date of communication of this order for framing of charge and mark the commencement of trial.

After framing of charge, learned court below is further directed to ensure expeditious disposal of the pending case, providing sufficient opportunity to either of the parties to this case, so that logical conclusion of this case may be reached at an early date.

With this direction/observation, the instant revisional application being C.R.R.983 of 2018 stands disposed of.

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

(Subhasis Dasgupta, J.)