

D/L 32.
September
6, 2021
Bpg.

C.R.R. No.1049 of 2012
(Via Video Conference)

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

Dhiraj Kumar Vaidya @ Dhiraj Vaid
Versus
State of West Bengal & Anr.

Mr. Imran Ali,
Mr. Ashok Das.
...for the State.

Report submitted by the Inspector-in-Charge, Kharagpur
(Town) Police Station, Dist.-Paschim Medinipur, be kept with the
record.

I find from the report that some of the accused persons
are available before the court while the other accused persons are
absconding. The investigation was initiated in the year 2009 and
charge-sheet was submitted in the year 2010.

The subject-matter of the case relates to physical and
mental torture upon the wife consequent to which a case under
Sections 498A/406/34 of the Indian Penal Code and 3/4 of the
Dowry Prohibition Act was registered for investigation.

The learned Magistrate is directed to segregate the trial
by exhausting the process of law and proceed in respect of the
accused persons who are available before the court. By adhering
the provisions of law, the learned Magistrate would invoke the
provisions relating to proclamation and attachment in respect of the

accused persons, who are absconding for a considerable period of time. The learned Magistrate would take steps for progressing with the trial and also take steps to take it to a logical conclusion within a reasonable period of time.

Having regard to the conduct of the accused persons and the manner in which they have not cooperated with the progress of the trial, I am of the view that no interference is called for.

Accordingly, CRR 1049 of 2012 is dismissed.

Pending application, if any, is consequently disposed of.

Interim order, if any, is hereby vacated.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)