

CRR 933 of 2021

Amaresh Ghosh
vs
State of West Bengal & Anr.

Mr. Arani Bhattacharyya
... For Petitioner.
Mr. S.G. Mukherjee, Ld. P.P.,
Mr. Arijit Ganguly
... For the State.

The court is approached under Section 482 Cr.P.C. soliciting a direction to ensure expeditious disposal of a case under Sections 143/323/325/427/506 of the Indian Penal Code relating to G.R. Case No. 2213/2016 now pending before the learned Judicial Magistrate, 5th Court, Burdwan.

Mr. Arani Bhattacharyya, learned Advocate representing the petitioner submits that the occurrence was held in 2016, but there has been inordinate delay in the disposal of the instant Magistrate triable case.

Adverting to order dated 20th February, 2020, learned Advocate for the petitioner contends that about four years after the occurrence, the charge/plea was framed against the petitioner i.e. on 20th February, 2020.

The copy of the revisional application is handed over to Mr. Arijit Ganguly, learned Advocate, who ordinarily defends State being an empanelled learned Advocate for the State.

The appearance of Mr. Ganguly be regularised in this case taking advantage of this order.

Mr. Ganguly submits that after framing the charge in February, 2020, the court has already fixed date for collection of

evidence scheduling the same on 24th July, 2020. According to Mr. Ganguly it is due to the onset of Covid-19, the trial could not be proceeded with.

It is not a matter of dispute that due to the onset of Covid-19 and its consequent impact, the ordinary function of the court has been largely disturbed.

Having considered the submission of the learned Advocate for the petitioner as well as the submission of the learned Advocate for the State, the court is of the view that the instant revisional application may be disposed of, so as to sub-serve the purpose of justice, as proposed to be obtained, giving a direction mentioned as hereunder.

Learned court below is directed to expeditiously dispose of the case making effective utilization of the date or dates, to be fixed by the learned court below and if necessary by giving short dates to the extent possible upon resorting to steps available under Section 309 Cr.P.C. with an aim to ensure expeditious disposal.

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

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

(Subhasis Dasgupta, J.)