

08.06.2021

Item No.1
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 1104 of 2018
(Via Video Conference)

Sanjoy Seal
versus
The State of West Bengal & Ors.

In Re: An Application under Section 482 of the Code of Criminal Procedure filed in connection with order and judgment dated 18.07.2017 passed by learned Additional District and Sessions Judge, Fast Track Court-3, Barrackpore, North 24-Parganas in ST2(6) 08, Khardah P.S. Case No. 85/2006.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee

... For the State.

An application under Section 311 of the Code of Criminal Procedure was preferred at the instance of the learned public prosecutor who was freshly engaged on behalf of the State. The learned public prosecutor intended to re-examine/examine PW-1, PW-2 and PW-3 for the limited purpose of identifying their signatures on the inquest report. Another prayer was advanced for examining of two Doctors, Executive Magistrate and Investigating Officer of the case.

The learned trial court by its order dated 18.07.2017 refused to allow such prayer on the ground that the trial of the case is pending for a period of nine years and earlier similar prayer was rejected.

Having regard to the nature of the witnesses and the prayer so advanced and the fact as it has been informed by the learned advocate appearing for the State that the trial of the case is still pending at the stage of Section 313 of the

Code of Criminal Procedure, I direct as a matter of last opportunity, the State should be afforded a chance to examine the said witnesses for the ends of justice. However, no further time should be extended and the trial should be completed within a definite period of time.

Accordingly, I direct that examination of the witnesses should commence on and from 01.08.2021. By the first week of August 2021, examination of PW-1, PW-2 and PW-3 should be completed and by 31.08.2021, examination of two Doctors and the Executive Magistrate should be completed. The examination of the Investigating Officer of the case should start on and from 01.09.2021 and all efforts should be taken so that examination-in-chief and cross-examination of the Investigating Officer are completed by 15.09.2021. The learned court thereafter would fix date between 20.09.2021 and 30.09.2021 for examination of the accused persons under Section 313 of the Code of Criminal Procedure and all efforts should be taken to complete the same within the said period. The defence thereafter should be afforded opportunity for completing their evidence (defence witnesses) by 30.11.2021 and the arguments of the case should start on and from 01.12.2021 and be completed by 15.12.2021 so that the learned trial court would be in a position to deliver its judgement by 31.12.2021.

The learned trial Judge is directed to adhere to the time schedule, if otherwise the situation is not beyond his control.

With the aforesaid observations, CRR 1104 of 2018 is disposed of.

The learned Registrar (Judicial), High Court, Calcutta is directed to communicate this order to the learned Additional Sessions Judge, Fast Track Court-3, Barrackpore, North 24-Parganas.

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

(Tirthankar Ghosh, J.)