

01.12.
2021

CRR 1144 of 2021

In the matter of:- Subhas Dutta & Ors.

Mr. Sk. Sahajahan Ali
.....for the petitioners

Mr. Imran Ali,
Mr. Mirza Firoj Ahmed Begg
.....for the State

Leave is granted to correct the cause title.

This is an application seeking an expeditious disposal of a proceeding in which a charge-sheet was submitted under Section 294 of the Indian Penal Code and Section 5 of the Immoral Traffic (Prevention) Act.

Let a copy of this application be served upon Mr. Imran Ali and Mr. Mirza Firoj Ahmed Begg, learned counsels, who are present in court today and who ordinarily appear on behalf of the State. Their engagement may be regularised in due course by the competent authority of the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is an accused in this case. Although the First Information Report was lodged in 2013 and a charge-sheet was also submitted in the same year, till date the proceeding could not be concluded. Although the charge has been framed on 23.10.2013, not a single witness has been examined. The trial has remained pending for no fault of the present

petitioner. However, on numerous occasions coercive steps were taken to ensure the attendance of the accused.

Learned counsel for the State submits that the State would not come in the way if a direction is passed to expedite the trial.

I have heard submissions of the learned counsels appearing on behalf of the petitioner and the State and have perused the revision petition.

It appears that although on some occasions the accused also prayed for time, till date the proceeding, which was initiated in 2013, could not be concluded.

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, preferably within one year from the next date of hearing and it shall be open to the learned trial court to take coercive measures to secure the attendance of the witnesses.

With these observations, the revisional application is disposed of

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)

