

Form No. J(2)

IN THE HIGH COURT AT CALCUTTA
Criminal Appellate Jurisdiction
Appellate Side

Present:
The Hon'ble Justice Jay Sengupta

CRR 1950 of 2019

Sri Raju Majumder & Anr.
Vs.
Smt. Kajari Majumder & Anr.

For the Petitioner : Mr. Debabrata Roy
Mr. Prabir Chatterjee

For the opposite party No.1 : Mr. Santanu Deb Roy

For the State : Mr. Imran Ali
Ms. A. Bhattacharyy

Heard on: : 27th January 2021

Judgment on : : 27th January 2021

The Court:

Although, this is an application for quashing of a proceeding in which a charge sheet was submitted under Sections 406, 498A read with Section 34 of the Indian Penal Code, learned counsel appearing on behalf of the petitioners submits that the petitioners would not like to press for the same and would instead pray for an expeditious disposal of the case.

As such, on the prayer of the learned counsel for the petitioners, the prayer of the petitioners for quashing of the proceeding is rejected as not pressed.

Affidavit of service filed by the petitioners is taken on record.

Vakalatnama filed on behalf of the opposite party no. 1 is also taken on record.

Despite service no one appears on behalf of the State.

Mr. Imran Ali, learned counsel and Ms. A. Bhattacharyya, learned counsels who ordinarily appear on behalf of the State are requested to appear in this matter. Their engagement may be regularised by the competent authority of the State in due course. A copy of the application is served upon them in Court.

Learned counsel appearing on behalf of the petitioners further submits as follows. The petitioners are the accused in this case. Although, the impugned proceeding was initiated in the year 2014 and a charge sheet was also submitted in the same year, till date the impugned proceeding could not be concluded. Out of nine charge-sheeted witnesses, only one could be examined. The impugned proceeding has remained pending for no fault on the part of the present petitioners and that too, despite a previous direction for expeditious disposal of the proceeding passed by this Court on 17.07.2018 in CRR 625 of 2018. The petitioners pray for expeditious disposal of the proceeding including applications that may be filed by the petitioners in the said proceeding.

Learned advocates appearing on behalf of the State and the private opposite party submit that it will be in the interest of justice if the impugned proceeding is expedited.

It appears that there is some delay in concluding the impugned proceeding, despite previous direction of this Court passed in 2018.

In view of 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 a period of one year from the next date of hearing.

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.)