

In the matter of:- Srikanta Ghosh & Ors.

...petitioners

Mr. Ujjal Ray

...for the petitioners.

Mr. Imran Ali,
Mr. Nirupam Dhali.

....for the State.

This is an application seeking expeditious disposal of a proceeding in which a charge sheet was submitted under Sections 376, 406 and 498A read with Section 34 of the Indian Penal Code.

Learned Counsel appearing on behalf of the petitioners submits as follows. A charge under Section 376 of the Penal Code was levelled against the brother-in-law of the de facto complainant while the husband and the other in-laws were implicated in the other offences. The First Information Report was lodged in 2014 and the charge sheet was also submitted for the same. On 12.06.2018 charges were framed thereafter. During trial, nine witnesses were examined. One of the petitioners is working in the armed forces. However, on 07.02.2020, the State and the de facto complainant made a prayer that the FSL report may be filed. Next date was fixed as 20.03.2020 for production of FSL report, in default to proceed for examination of the accused under Section 313 of the Code. Since then several dates came to be fixed for such purpose. Trial has remained pending for no fault on the part of the present petitioner.

Learned Counsel appearing on behalf of the State submits that FSL report would be necessary for an appropriate adjudication of the trial.

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

It appears that some delay has been occasioned in concluding the trial. Since the direction was passed for production of the FSL report, several dates have gone past, yet the report could not be produced.

The learned Trial Court is requested to take appropriate measure to ensure that the FSL report is placed before the learned Court within a month from the next date fixed for hearing. Thereafter, the learned Court shall make all endeavor to conclude the trial as expeditiously as possible without granting any unnecessary adjournment to any of the parties.

With the above 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.)