

D/L 86
December
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C.R.R. No. 2462 of 2021
(Via Video Conference)

In Re: An application under Section 482 read with Section 401 of the
Code of Criminal Procedure, 1973;

Sri Bappa Mondal
Versus
The State of West Bengal

Mr. Pradyat Saha.
...for the petitioner.

Mr. Bidyut Kumar Ray,
Ms. Manisha Sharma.
...for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody and although charge has been framed but there has been delay in the progress of the trial.

Record of the revisional application reflects that charge was framed on 25th November, 2020, but no witness has been examined till date.

In view of the concern expressed by the petitioner, a copy of the revisional application was served upon Mr. Bidyut Kumar Ray, learned advocate, who ordinarily appears on behalf of the State. His appointment may be regularised by the concerned authorities.

The delay for the last 1½ years mostly was contributed because of the Covid-19 pandemic and, as such, it is useless to point fingers who contributed to the delay. At the same time, detention of the petitioner in custody for a considerable period of

time cannot be ignored. As such, learned Special Court is directed to take steps so that at least schedule of three dates is fixed each and every month so that the trial can be taken to its logical conclusion within a reasonable period of time. It is further directed that no unnecessary adjournment should be granted to either of the parties and dates should be fixed only after the public prosecutor conducting the case assures regarding the availability of the witness.

With the aforesaid observations, CRR 2462 of 2021 is disposed of.

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

(Tirthankar Ghosh, J.)