

Sr. 05
30-06-2021
Subha.
Court no. 34

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE
(Via Video Conference)**

CRM 11727 of 2015

In the matter of : **Tuhin Kanti Chowdhury**
.....Petitioner.

In Re : An application for cancellation of bail under Section
439(2) of the Code of Criminal Procedure.

Mr. Sourav Chatterjee
....for the petitioner.

Mr. Saswata Gopal Mukherji, ld. Public Prosecutor,
Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan
...for the State.

Affidavit of service filed by the petitioner be kept with
the record.

Certified copy of the ordersheet filed by the petitioner
be also kept with the record.

Mr. Chatterjee, learned advocate appearing on behalf
of the petitioner submits that the petitioner was granted
interim bail on 17th September, 2015 and subsequently his
bail was confirmed by an order dated 23rd November, 2015.

Additionally, he submits that in spite of this, the petitioner was not available so far as the proceedings are concerned and have jumped bail granted to him.

Consequently, the learned Judicial Magistrate, 4th court, Hooghly was pleased to issue warrant of arrest and the opposite party no. 2 was arrested and produced before the learned Magistrate on 13th November, 2019. The learned Magistrate was pleased to release the petitioner on bail on the same date after the stage of consideration of charge was over.

Needless to state that the conduct of the opposite party no. 2 is not encouraging. However, the present application for cancellation of bail has lost its force because subsequently, the opposite party no. 2 was arrested on the basis of a warrant of arrest. Mr. Chatterjee, learned advocate for the petitioner has prayed for a direction for expeditious disposal of the case.

Mr. Mukhrji, learned Public Prosecutor appearing for the State submits that considering the fact that the opposite party no. 2 happens to be a history sheeter, all efforts would be taken by the State for smooth progress of the trial of the case.

This court finds that there is substance and force so far as the last submission which has been advanced. Accordingly, the learned trial court is directed to proceed with the case as expeditiously as possible and conclude the trial within a period of one year from the next date so fixed.

With the aforesaid observations, the application for cancellation of bail being CRM 11727 of 2015 is disposed of.

Department is directed to communicate this order to the learned court below within a period of seven days.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

(Tirthankar Ghosh, J.)