

14.06.2021
Item no.3
Ct. No.42
CHC

**C.R.M. No.13692 of 2013
(Through Video Conference)**

In Re: An application for cancellation of bail under Sections 482/439(2) of the Code of Criminal Procedure, 1973.

AND

In the matter of:-

The State of West Bengal
... petitioner

Mr. Swapan Banerjee,
Mr. Pratick Bose

...for the State/petitioner

Mr. Swapan Banerjee, learned advocate representing the State/petitioner is present. According to Mr. Banerjee, notice of this application was served upon the opposite parties long before.

Mr. Banerjee files Memo of Evidences. Let the same be kept on record.

None appears for the opposite parties.

Mr. Banerjee, learned advocate submits that prayer for bail was granted by this Court on 20th August, 2013 in connection with C.R.M.11477 of 2013. The State felt aggrieved against the order granting bail to the accused persons and accordingly filed the instant application for cancellation of the bail granted on 20th August, 2013.

Mr. Swapan Banerjee, learned advocate in his all frankness submits that the importance of this application has been diluted with the passage of time, and the lower court has already

scheduled dates for collection of evidence. P.W.6 is thus due to be examined on 14th July, 2021. Mr. Banerjee proposes for issuing a direction so that the trial conducted by the lower court may be expedited providing sufficient opportunity of hearing to the State/prosecutor in presenting the prosecution during the trial.

True it is that the instant application for cancellation of bail was filed in October, 2013 and in the meantime, the lower court has fixed date for collection of evidence, what is mentioned by Mr. Banerjee, as referred above. When there is no strong materials available before Court, supportive of cancellation of the prayer for bail, the Court is of the view that the instant revisional application may be disposed of directing the learned court below to expedite the trial providing sufficient opportunity of hearing to either of the parties to this case.

For the want of materials and also in view of the submission of Mr. Banerjee, learned advocate representing the State, the bail order granted in C.R.M.11477 of 2013 goes uninterfered with.

The instant application being C.R.M.13692 of 2013 thus stands disposed of.

(Subhasis Dasgupta, J.)