

20.05.2021
SL No.86
Court No.28
(gc)

CRM 10244 of 2020
(Via video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with SPL ST No.1(4) 18 arising out of Canning Police Station Case No.847/17 dated 27.12.2017 under Section 376 of the Indian Penal Code read with Section 6 of the POCSO Act.

And

In the matter of : **Nizamuddin Gazi**

- Petitioner

Mr. Ramashis Mukherjee
... For the Petitioner.

Mr. N. Ahmed,
Mr. Md. Anwar Hossain,
Ms. Shreyashee Biswas,
... For the State.

Out of seven witnesses in POCSO case registered in the year 2017, two witnesses claim to have been examined. There is no doubt that the progress of the trial is tardy. It is a duty of the Trial Court to adhere to the schedule for completion of the trial of cases arising under the POCSO Act and it seems that the period of conclusion has expired.

We do not wish to comment on the tardy progress of the trial. However, we direct the POCSO Court to conclude the examination of the witnesses within a period of six months from the next date fixed and shall not grant any unnecessary adjournment to either of the parties unless there are unavoidable reasons. The prosecution shall make all endeavour to produce witnesses on the date fixed.

This order shall immediately be communicated to the learned Additional District & Sessions Judge, 2nd Court, Alipore (Special

Court under POCSO Act) by the learned Registrar General for compliance.

The application for bail is rejected at this stage.

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

(Suvra Ghosh, J.)

(Soumen Sen, J.)