

CRR 98 of 2022

In Re : Suman Das

Mr. Subir Ganguly
Mr. Sumanta Ganguly
Mr. Dibakar Sardar
... for the petitioner

Mr. Y. J. Dastoor, Ld. A.S.G.
Mr. Phiroze Edulji
Mr. Samrat Goswami
... for the CBI

This is an application seeking an expeditious disposal of a proceeding in which a charge sheet was submitted under Sections 420, 468 and 471 read with Section 120B of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is an accused in this case. An F.I.R. was lodged on 26.12.2011. After completion of a purported investigation, a charge sheet was submitted on 27.12.2012. Long thereafter, charges were framed. P.W. 1 was examined in 2017 for the first time. In all, there are 102 witnesses mentioned in the charge sheet. However, only one witness could be examined. Mostly, adjournments had to be granted because witnesses were not available. The proceeding has remained pending for no fault of the petitioner.

Learned counsel appearing on behalf of the CBI submits as follows. It is true that delay has been occasioned in this case. However, the matter is pending before the learned Additional Chief Judicial Magistrate, Bidhannagar, North 24 Parganas and not before a learned Special Court. There is a huge workload of cases before

that Court. However, all endeavours will be made on the part of the CBI to see that the witnesses are produced on the date fixed.

I have heard the submissions of the learned counsels for the parties, and have perused the revision petition.

It appears that an inordinate delay has been occasioned in this case, especially considering the fact that the F.I.R. was lodged way back in 2011. Out of total of 102 witnesses only one could be examined till date.

This is indeed a very sorry state of affairs.

In view of the above, and in the interest of justice, I request the learned Trial Court to conclude the proceeding without granting any unnecessary adjournment to any of the parties, by fixing a shorter dates and by invoking coercive measures, if necessary, for ensuring attendance of witnesses, preferably within a period of two years from the next date of hearing.

With these 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.)