

Form No. J(2)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION

Present:

The Hon'ble Justice Jay Sengupta

C.R.R. 136 of 2022

Suraj Das

-vs-

The State of West Bengal & Ors.

For the Petitioner : Mr. Uday Sankar Bhattacharya
Ms. Suparna Biswas

Heard on : 18.01.2022

Judgment on : 18.01.2022

Jay Sengupta, J.:

This is an application challenging an order dated 23.12.2021 passed by the learned Additional Sessions Judge, 1st Court, Alipore, South 24-Parganas, thereby rejecting the prayer for preponing the date for hearing of the application for cancellation of bail made by the present petitioner.

Learned Counsel appearing on behalf of the petitioner submits as follows. The petitioner had filed an FIR against the accused opposite party nos.2 and 3, inter alia, under the provisions of the Scheduled Castes and Scheduled Tribes Act. An ad interim bail was granted to the accused in connection with the case. The petitioner alleged that after granting of ad interim bail, the accused were threatening them. The de facto complainant filed a supplementary application for cancellation of bail. A report was received from Assistant Commissioner of Police (III), South-East Division and the ad interim bail was extended till the next date. 24.02.2022 was the date fixed for hearing of the petition for cancellation of bail. On 23.12.2021, by way of a put up petition, the de facto complainant prayed for preponing of hearing of the application for cancellation of bail. The same was turned down without assigning reasons.

I have heard the submissions of the learned counsel appearing on behalf of the petitioner and have perused the revision petition.

It appears that on 01.12.2021, the de facto complainant filed another petition praying for cancellation of bail. The next date was fixed for hearing of the application for cancellation of bail on 24.02.2022. I do not find any infirmity in this order.

The Courts are having to act under considerable pressure in view of the number of cases pending. If a date is fixed for hearing of an application for cancellation of bail after about two months, the learned Trial

Court could not be faulted with the same.

In any event, on 01.12.2021, another application for cancellation of bail appears to have been filed by the de facto complainant.

As such, I am of the view that the learned Additional Sessions Judge did not commit any error in refusing to prepone the date for hearing of the application for cancellation of bail in the facts and circumstances of the case.

However, it is expected that the learned Sessions Court would hear out the application for cancellation of bail on the next date fixed i.e. on 24.02.2022.

In view of the above, no further order need be passed.

Accordingly, 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.)

NB