

15.02.2022
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SB
Ct. No.39

CRR 368 of 2022

In the matter of : Rabindranath Sen & Ors.

Mr. Chirantan Sarkar ... for the Petitioners

Mr. S.G. Mukherjee, Ld. P.P.

Mr. Imran Ali

Mr. Kutubuddin for the State

This is an application seeking an expeditious disposal of a proceeding in which a charge sheet was submitted under sections 406, 498A and 506 of the Indian Penal Code and Section 3 and 4 of the Dowry Prohibition Act.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the accused in this case. The petitioner no. 1 is the husband and the petitioner nos. 2 and 3 are the parents-in-law of the de facto complainant / opposite party no. 1 who are suffering from diverse ailments. The F.I.R. was lodged in 2015. A charge-Sheet was submitted in 2015. The prosecution seeks to examine six witnesses in this case. Charges were framed and the evidence started. But after a point, P.W. 1 being the opposite party no. 1 started to absent herself in the proceeding. Accordingly, warrant of arrest was issued. The impugned proceeding has remained pending for no fault on the part of the petitioner.

Learned counsel appearing on behalf of the State submits that State would not come in the way if a direction is passed for an expeditious disposal of the proceeding.

I have heard the submissions of the learned counsels appearing for the petitioners and the State and have perused the revision petition.

It appears that the F.I.R. in this case was lodged as far back as in 2015. Although charges were framed, the proceeding could not be taken to its logical conclusion because of the absence of the witnesses and the de facto complainant.

In view of the above and in the interest of justice, the learned Trial Court is requested to conclude the trial as expeditiously as possible without granting any unnecessary adjournment to any of the parties and by taking appropriate coercive measures to ensure the attendance of the witnesses, preferably within a period of ten months from the next date of hearing.

With these observations, the revisional application is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon completion of requisite formalities.

(Jay Sengupta, J.)