

11-05-2022
Subha
Item no.41
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 132 of 2016

In the matter of : Prabir Roy Chowdhury & Ors.

.....petitioners.

In Re : An application under Section 482 of the Code of Criminal Procedure.

Mr. Madhu Sudan Sur, ld APP,
Mr. Manaranjan Mahata
.....for the State.

The present revisional application has been filed by the petitioners challenging B.G.R Case No. 6901/80 under Sections 148/149/447/379/324 of the Indian Penal Code arising out of Canning Police Station Case No. 13 dated 18-11-1980.

The record of this revisional application reflects that the revisional application appeared on 22nd February, 2016 when there was an interim stay for a period of six weeks. The said interim order was never extended. Record reflects that the main proceedings were pending till 2013 before the jurisdictional court for execution return of warrant of arrest regarding some of the accused persons. I have considered the reasons assigned in the revisional application which include the delay of 34 years as also the plight of the landless labourers.

As none appeared on behalf of the State, Mr. Madhu Sudan Sur, learned Additional Public Prosecutor, who ordinarily appears on behalf of the State was directed to represent the State. His appointment may be regularized by the concerned Authorities in due course.

Having regard to the issues, which have been canvassed in this revisional application, I am of the opinion that the factual circumstances canvassed cannot be interfered by this court at this stage. However, so far as the issues of delay is concerned, the jurisdictional court is directed that in case the trial has not been concluded by this time, the learned trial court would fix at least one date in a week to take the trial to its logical conclusion preferably within a period of one year from the date of the communication of this order.

With the aforesaid observations, the present revisional application being CRR 132 of 2016 is disposed of.

All pending applications, if any, in connection with the revisional application, are consequently disposed of.

Interim order, if any, is hereby vacated.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]

