

Court No.
39
Item 23
Ssi

08.03.
2022

C.R.R. 691 of 2022

In the matter of:- **Md. Shah Alam**

(via video conference)

**Ms. Sreyashee Biswas
Ms. Puja Goswami**

...for the petitioner

**Mr. D. Chatterjee
Mr. Imran Ali
Mr. Nirupam Dhali**

...for the State

This is an application seeking an expeditious disposal of a proceeding in which a charge-sheet was submitted, *inter alia*, under Sections 302 and 34 of the Indian Penal Code.

Let a copy of this application be served upon Mr. Imran Ali and Mr. Nirupam Dhali, learned advocates, who are present in Court today and who ordinarily appear on behalf of the State. Their engagement may be regularised in due course by the competent authority of the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is an accused in this case. He is in custody since 2014 the year in which the First Information Report was registered. A charge-sheet was submitted in 2014 itself.

Thereafter, charges were framed. Out of 49 witnesses, 26 witnesses have been examined in full. In August, 2021, the petitioner had prayed for bail before this Court. The same was rejected. However, a direction was passed to expedite the trial. At the rejection of the bail prayer, it was submitted on behalf of the State that out of 23 witnesses, the State would be examining only 10 witnesses. But, the proceeding has remained pending for no fault of the present petitioner.

Learned counsel for the State submits that the State would not come in the way if a direction is passed to expedite the proceeding.

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

It appears that an inordinate delay has been occasioned in concluding the proceeding, especially considering the fact that the petitioner is in custody since 2014.

In view of the above and in the interest of justice, I request the learned trial Court to conclude the proceeding as expeditiously as possible without granting any unnecessary adjournment to any of the parties and by fixing dates for hearing in terms of Section 309 of the Code, preferably within a period of one year from the next date of hearing.

With these observations, the revisional application is disposed of.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)