

CRR 678 of 2020

In the matter of : Kalyan Krishna Nandi

.....Petitioner

Mr. Kalyan Krishna Nandi for the petitioner
(in person)

Mr. Prasun Kumar Dutta, Ld. APP
Md. Kutubuddin
Mr. Santanu Deb Roy ...for the State

The petitioner appears in person.

Mr. P.K. Dutta, learned advocate who usually appears on behalf of the State, his appointment may be regularised by the concerned authorities.

In this revisional application, the petitioner submits that the opposite party no. 1 lodged a First information report being no. 11 of 2015 under Sections 498A/406/506/34 of the Indian Penal Code read with 3/4 Dowry Prohibition Act at Barrackpore Women Police Station against the present petitioner and other which is pending before the learned Judicial Magistrate, 4th Court, Barrackpore, being G.R. 669/2015.

The petitioner prayed for direction for speedy disposal of the case. His mother, Aparna Nandi the other accused of this case is aged about 73 years and suffering from various chronic diseases and for that reason, an application under Section 205 of the Code of Criminal Procedure was filed on behalf of his mother for dispensing her personal attendance, which has not yet been heard and disposed of .

Mr. P.K. Dutta, learned advocate appearing for the State submits, let a direction be given upon the trial court for expeditious disposal of the case. The petitioner submits that next date i.e. 02.8.2022, is fixed for framing of charge and a direction may be given for hearing on the point of framing charge on that date positively.

Having considered the facts and circumstances of the case and that the matter is pending since long, after submission of charge-sheet on 17.10.2015, learned Judicial Magistrate, 4th Court, Barrackpore is directed to hear both parties on the point of framing of charge positively on 02.8.2022 the date which has been fixed for framing of charge as has been submitted by the petitioner. If due to any unavoidable circumstance it could not be heard on that day then on the very next available date charge hearing must be made. Both the accused persons including the present petitioner are directed to appear before the court below on the date fixed in connection with G.R. 669 of 2015. After framing of charge, learned trial court is further directed to dispose of the application under Section 205 of the Code of Criminal Procedure if it is pending for disposal, as submitted, within a period of one month from the date of framing of charge. The trial court is also directed to make expeditious disposal of the case being G.R. 669/2015 preferably within a period of eight months from the date of this order without granting any unnecessary adjournment to either of the parties and if necessary by resorting the provision laid down in Section 309 of the Code of Criminal Procedure.

CRR 678 of 2020 is accordingly disposed of.

Urgent photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Ajoy Kumar Mukherjee, J.)