

In the matter of:- Nitin Himatsingka

...petitioner

Mr. Sachetan Ghosh.
...for the petitioner.

Mr. Anwar Hossain,
Ms. Sujata Das.
...for the State.

This is an application praying for quashing of a proceeding in which a charge sheet was submitted under Sections 408 and 420 read with section 120B of the Penal Code.

Let a copy of this application be served upon Mr. Anwar Hossain and Ms. Sujata Das, learned Counsels who ordinarily appear on behalf of the State. Let them represent the State. Their engagement may be regularised by the competent authority of the State in due course.

Learned Counsel appearing on behalf of the petitioner submits as follows. The petitioner is the de facto complainant in this case. He had lodged the present FIR on 07.03.2016. A charge sheet was submitted in February, 2017. Yet, till date, the proceeding could not be concluded. Even charges could not be framed. On several occasions, the accused/opposite parties prayed for adjournments and on some other occasions, matter had to be adjourned due to resolution of bar. The matter has remained pending for no fault on the part of the present petitioner.

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

No prejudice will be caused to anyone, if a direction is passed in respect of a prayer to expedite the hearing of the case.

For an FIR that was lodged in February, 2016, and a charge sheet was submitted in 2017, at least charges ought to have been framed by now. However, the same has not been done. Therefore, it is clear that there is some delay in conducting the proceeding.

In view of the same and in the interest of justice, the learned Trial Court is requested to conclude the proceeding as expeditiously as possible without granting any unnecessary adjournment to any of the parties and in particular to decide the question of framing of charge at the earliest, preferably within a period of three months from the next date of hearing.

With the above observations, 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.)