

Court No.
39
Item 6
Ssi

05.04.
2022

C.R.R. 1058 of 2022

In the matter of:- **Arafat Hossain.**

Mr. Arafat Hossain
...petitioner appearing in person
Mr. Anwar Hossain
Mr. Nirupam Dhali
....for the State

This is an application seeking an expeditious disposal of a proceeding in which a charge-sheet was submitted under Sections 323, 406 and 498A read with Section 34 of the Indian Penal Code.

Let a copy of the application be served upon Mr. Anwar Hossain 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.

The petitioner appearing in person submits as follows. The petitioner is an accused in this case. The opposite party no.2 had lodged a First Information Report against the petitioner and her family members on 03.10.2020. A charge-sheet was submitted on 29.10.2020. The prosecution intends to examine 7

witnesses in this case. Till date, even charges could not be framed. The petitioner's father is seriously ill. He has suffered a spinal fracture and he cannot move without any support. He had earlier suffered heart attack twice as also a cerebral attack. In these circumstances, the proceeding may be expedited.

Learned counsel appearing on behalf of the State submits as follows. It does not appear that an inordinate delay has been occasioned in this case. Unfortunately, there were accused under the NDPS Act who were facing custody trial since 2016.

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 does not appear that an inordinate delay has been occasioned in this case.

However, there are certain special circumstances in the present case for which the petitioner had to appear in person and state about the serious illness of his father who is also an accused in this case.

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 in particular, to decide the question of framing of consideration of charges at the earliest,

preferably within a period of four months 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.)