

Court No.
39
Item 79
Ssi

27.04.
2022

C.R.R. 1117 of 2022

In the matter of:-Sangeeta Guha (Haldar).

Mr. Abdul Hadi

...for the petitioner

Mr. Imran Ali

Mr. M. F. A. Begg

...for the State

This is an application seeking an expeditious disposal of a proceeding in G.R. Case No. 2481 of 2006 under Section 498A of the Indian Penal Code presently pending before the learned Judicial Magistrate, 5th Court, Barrackpore, North 24 Parganas.

Let a copy of this application be served upon Mr. Imran Ali and Mr. M.F.A. Begg, learned counsels, who are present in Court today and who ordinarily appear on behalf of the State. Their engagement may be regularized in due course by the competent authority of the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the defacto-complainant in this case. He lodged the present First Information Report in 2006. A charge-sheet was also submitted in 2007. Till date, the trial could not be concluded. Out of six witnesses, only two witnesses could be examined and the examination of P.W.3 is

going on. Thereafter, by an order dated 23.09.2019 passed in C.R.R. 2445 of 2019, this Court directed an expeditious disposal of the proceeding, preferably within six months from the next date of hearing. Yet, even thereafter the situation remained the same. The trial is going at the stage of examination of P.W. Nos. 3 and 4.

Learned counsel appearing on behalf of the State submits that it is unfortunate that the learned trial Court did not comply with a direction of this Court for effecting expeditious conclusion of the trial.

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 for expediting the present proceeding.

It appears that an inordinate delay has been occasioned in concluding the proceeding, especially considering the fact that the FIR in this case was lodged in the year 2006 and the charge-sheet was submitted in 2007.

It is unfortunate that even a direction of this Court for an expeditious disposal of the proceeding could not encourage the learned trial Court to conclude the proceeding at the earliest.

In view of the above and in the interest of justice,

I direct the learned trial Court to fix dates in terms of Section 309 of the Code and expeditiously conclude the trial without granting any unnecessary adjournment to anyone, 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.)