

05.05.2022
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SB
Ct. No.39

CRR 1039 of 2022

In the matter of : Harsh Vardhan Singh

Mr. Apalak Basu
Mr. Nazir Ahmed ... for the petitioner

Mr. Imran Ali
Mr. Mirza Firoj Ahmed Begg ... for the State

This is an application seeking an expeditious disposal of a proceeding in which a charge sheet was submitted under Sections 341, 323, 504, 506 and 34 of the Indian Penal Code.

Let a copy of the application be served upon Mr. Imran Ali and Mr. Mirza Firoj Ahmed Begg, learned counsels, who ordinarily appear on behalf of the State. They are requested to appear in this matter. 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 a colonel in the Indian Army and is the de facto complainant in this case. He lodged the F.I.R. on 06.11.2017. A charge sheet was submitted on 13.11.2017. A supplementary charge sheet was submitted in August 2018. Thereafter, a direction was passed by this Court on 06.08.2019 in C.R.R. 1793 of 2019 directing an expeditious disposal of the proceeding within a period of four months from the date of communication of this order. However, the same was not done. The accused absconded and the warrant of arrest had to be issued against them. However, the accused finally surrendered.

After framing of charge, examination of witnesses is going on. A further direction is required to expedite the proceeding.

Learned counsel appearing on behalf of the State submits that State would not come in the way if a direction is passed for an expeditious disposal of the proceeding.

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

It appears that some delay has been occasioned in concluding the trial, especially considering the fact that the F.I.R. was lodged in 2017.

It is unfortunate that in spite of a previous direction passed by this Court for an expeditious disposal of the proceeding the proceeding, could not be concluded till date.

In view of the above and in the interest of justice, the learned Trial Court is requested to conclude the trial as expeditiously as possible without granting any unnecessary adjournment to any of the parties and by fixing dates in terms of Section 309 of the Code, preferably within six months from the next date of hearing.

With these observations, the revisional application is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon completion of requisite formalities.

(Jay Sengupta, J.)