

17.06. 2022
item No.8
n.b.
ct. no. 34

CRR 1151 of 2022

Jiban Karmakar
Vs.
State of West Bengal

Mr. Soujanya Bandyopadhyay
.....for the Petitioner

Mr. Tanmay Kr. Ghosh,
Md. Kutubuddin
..... For the State.

Affidavit of service so filed be kept with the record.

Learned advocate appearing for the petitioner submits that the petitioner is in custody since February 2021 and till date out of nine witnesses so relied by the prosecution to be examined, one witness has been examined.

Learned advocate has also drawn the attention by this Court to the order passed in CRM 6895 of 2021 and Special Leave to Appeal in (Crl.) No(s). 2113/2022. Learned advocate submits that in spite of direction for expediting the trial passed both by the Hon'ble Apex Court as well as the High Court, the Learned Trial Court is fixing the date after four months.

In view of the anxiety expressed by the Learned Advocate appearing for the petitioner, I direct the Learned Trial Court to fix a schedule consisting of four dates. Such schedule must be fixed once in every sixty days, so that the Trial of the case can be concluded within a reasonable time.

No adjournment should be granted to either of the parties and the Public Prosecutor conducting the trial would assure the Court regarding the availability of the witnesses prior to the date/schedule being fixed by the Learned Trial Court. The Learned Trial Court is directed to take into consideration the orders passed by the Hon'ble Supreme Court as well as the Hon'ble Division Bench order of this High Court and the period of detention of the petitioner. All efforts must be taken by the Court, Prosecution and there must be cooperation from the accused.

With the aforesaid observations, CRR 1151 of 2022 is disposed of.

All pending connected applications, if any, are consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)