

In the matter of:- Samija Bibi

...petitioner

Mr. Rabilal Maitra,
Mr. Debabrata Ray,
Mr. Rajit Lal Maitra,
Mr. Souvik Mondal.

...for the petitioner.

Mr. Bidyut Kumar Roy,
Ms. Ratna Ghosh.

...for the State.

This is an application seeking an expeditious disposal of a proceeding instituted at the behest of the present petitioner.

Learned Senior Counsel appearing on behalf of the petitioner submits as follows. The petitioner is the de facto complainant in this case. The victim deceased was his brother-in-law. On 14.05.2012, she filed a First Information Report under Sections 307, 325, 326, 447 and 506 read with Section 34 of the Penal Code. As the victim succumbed to his injuries, Section 302 was added thereafter. A charge sheet was submitted in 2012. However, afterwards the records of the case became missing and the proceeding could not progress. An appropriate direction may be passed in this case to expedite the proceeding.

Learned Counsel appearing on behalf of the State submits that the State would not come in the way if a direction is passed to expedite the proceeding.

It appears that pursuant to a direction of this Court passed on 21.12.2021, a report dated 27.12.2021 was submitted by the concerned authority. However, either the same was inadvertently not properly placed before this Court on the previous occasions or was missed due to oversight.

Be that as it may, from the report dated 27.12.2021 submitted by

the learned Additional Chief Judicial Magistrate, Islampur, Uttar Dinajpur, it appears that the case records of GR Case No.1039 of 2012 corresponding to Chopra Police Station Case No.216 of 2012 had been traced out and was placed before the learned Magistrate by the GRO, Islampur Court on 27.12.2021 at 5:25 p.m.

Therefore, there could be no further hindrance for proceeding with the instant case.

In view of the same and in the interest of justice, the learned Court is requested to conclude the trial as expeditiously as possible and in particular, if the matter has not been committed to the Sessions as yet, to do the same 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.)