

Form J(2)

**IN THE HIGH COURT AT CALCUTTA
Criminal Appellate Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

CRR 1909 of 2022

**Pritam Banik
-Vs.-
The State of West Bengal**

**For the petitioner: Mr. Siddhartha Sarkar
Mr. Akash Ghosh
Mr. Hirak Roy**

For the State : Mrs. Sujata Das

Item No.08.

Heard & Judgment on: 21.06.2022

Bibek Chaudhuri, J.

Since the instant revision is filed for expeditious disposal of G.R. Case No.4232 of 2014 pending before the learned Judicial Magistrate, 1st Court at Barrackpore, this Court proposes to dispose of the application here and now.

Mrs. Sujata Das, learned P.P.-in-charge is present in Court. She is requested to represent the State of West Bengal. Copy of the application has been served upon her. She has agreed to represent the State. Her appointment be regularized by the learned Legal Remembrancer, Government of West Bengal through the learned Public Prosecutor, High Court, Calcutta.

The brief background of the case is necessary for proper disposal of the instant revision. In the year 2014 police registered suo motu F.I.R. against eight accused persons. In the year 2015 charge sheet was filed in the said case under Sections 147/148/149/186/323/427 of the Indian Penal Code. After a lapse of six years plea was recorded under Section 251 of the Code of Criminal Procedure by the learned Magistrate on 18th January, 2021. Since then series of dates were fixed but the prosecution failed to produce the witnesses on behalf of the prosecution. There are four charge sheet named witnesses. It takes at best four days to examine all the witnesses. The petitioner being the wife of the accused has come up with the instant application praying for expeditious disposal of the case on the ground that he got appointment as I.T. Analyst in T.C.S. However, his employment cannot be confirmed due to pendency of the above numbered criminal case.

Considering all such aspect of the matter, the learned Judicial Magistrate, First Court at Barrackpore is directed to dispose of the instant application within one month from the date of communication of this order. It is also directed that the learned Magistrate shall take personal endeavour to issue summons upon the witnesses with the help of the Court Inspector attached to Barrackpore Criminal Court. Though the Court Inspector is not a party to this proceeding, the Court Inspector is also directed through the learned Judicial Magistrate, First Court at Barrackpore to ensure service of summons to the witnesses and their appearance before the trial Court.

It is recorded that the time limit is peremptory and the learned Magistrate must conclude the trial within the aforesaid period.

The instant criminal revision is, thus, disposed of on contest. There shall be no order as to costs.

The petitioner is at liberty to communicate this order by obtaining server copy of the same at the earliest.

(Bibek Chaudhuri, J.)