

23.06.2022
Item No.09.
Mithun
Ct.42

CRR 1971 of 2022
Tushar Kanti Roy
Vs.
State of West Bengal & Anr.

Mr. Sabyasachi Mondal, Adv.

...for the petitioner.

Ms. Faria Hossain, Adv.
Ms. Manisha Sharma, Adv.

...for the State.

The petitioner being an accused of G.R. Case No.1284 of 2019 has filed the instant criminal revision for expeditious disposal of the case instituted against him.

Ms.Faria Hossain, learned Public Prosecutor-in-Charge is present in Court. She is requested to assist this Court on behalf of the State. Appointment of Ms. Faria Hossain be regularized by the learned Legal Remembrancer, Government of West Bengal.

It is contended by the petitioner that on the basis of a written complaint regarding defalcation of money, Panskura Police Station Case No.307 of 2019 was registered on 27th June, 2019 under Section 409 of the Indian Penal Code. Subsequently charge-sheet was filed in the said case under Section 406 of the Indian

Penal Code on 8th June, 2021. The learned Chief Judicial Magistrate, Purba Medinipur took cognizance of the offence in the month of July, 2021. Subsequently the case was transferred to the learned Judicial Magistrate, 2nd Court, Tamluk. Till date charge has not been framed.

It is unfortunate to note that the accused is praying for speedy disposal of the case for delay on the part of the Trial Court to commence the trial.

The instant revision is disposed of directing the learned Judicial Magistrate, 2nd Court at Tamluk to consider as to whether charge ought to be framed under Section 406 or 409 of the Indian Penal Code within one month from the communication of this order. If it is found that the charge ought to be framed under Section 409 of the Indian Penal Code, he shall commit the case to the learned Special Judge for trial.

With the above order, the instant revision is **disposed of.**

Let a copy of this order be sent to the learned Magistrate, Tamluk for information and compliance. The petitioner is also at liberty to communicate this order to the learned Court below obtaining server copy of the order and the learned Magistrate is directed to act upon the server copy of the order, if so communicated.

(Bibek Chaudhuri, J.)