

Form J(1)

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

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

C.R.R. 2052 of 2022

***Lokman Sapui
Vs.
The State of West Bengal & Ors..***

**For the petitioner : Mr. Mukteswar Maity, Adv.
Ms. Manika Sarkar, Adv.**

**For the State : Mr. P.K.Datta, APP
Mr. Santanu Deb Roy, Adv.**

Heard on : 16.11.2022

Judgment On : 16.11.2022.

Bibek Chaudhuri, J.

This is an application for expeditious disposal of G.R. Case No.1865/ 2016 arising out of Kashipur Police Station Case No. 81 of 2016 dated 6th March, 2016 under Sections 420/406/120B/347/34 of the Indian Penal Code, pending before the learned Additional Chief Judicial Magistrate at Baruipur.

It is submitted by the learned Advocate for the petitioner that in the aforesaid case charge-sheet was submitted in the year 2019. Charge against the accused person was framed on 31st October, 2019.

Unfortunately enough, till date though more than 2 years have elapsed, prosecution has not been able to produce even a single witness in the Trial Court.

Considering the nature of allegation and the submission made in the instant revision, this Court is of the view that the instant revision can be disposed of with the assistance of the learned Public Prosecutor-in-Charge. Therefore, Mr. P.K.Datta, learned Public Prosecutor-in-Charge is requested to assist this Court on behalf of the opposite party No.1.

Having heard the learned Counsel for the parties and on careful perusal of the entire materials on record, it appears that only on 21st April, 2022 the case record was transferred to the 2nd Court of learned Additional Chief Judicial Magistrate at Baruipur for disposal. The learned Additional Chief Judicial Magistrate received the case record on 13th May, 2022 and next date was fixed on 20th June, 2022 for appearance of the accused persons. Subsequent orders have not been annexed with the instant revision.

Be that as it may, it is not a happy situation where the accused persons were implicated in the year 2016 and till date they are loitering in the Court premises without any effective trial. It is submitted by the learned Advocate for the petitioner that there are

only 4 witnesses to be examined during trial by the learned Magistrate.

Under such circumstances, the instant revision is disposed of with the expectation that the learned Magistrate shall take all endeavour to commence trial of the case within one month from the date of communication of this order and conclude examination of charge-sheeted witnesses within 3 months thereafter.

It is also directed that the learned Magistrate shall come to the logical conclusion of the case (G.R. No.1865 of 2016) within one month after examination of the witnesses, examination of the accused under Section 313 of the Code of Criminal Procedure and examination of Defence Witnesses, if any.

The petitioner shall act on the server copy of the order.

Urgent photostat certified copy of this order, if applied for, be supplied to the party subject to compliance with all requisite formalities.

(Bibek Chaudhuri, J.)

**Mithun De/
A.R. (Ct).
SI No.38.**