

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 2200 of 2022

Puspendu Kundu & Ors.

-Vs-

The State of West Bengal

For the Petitioner: Mr. Navanil De,
Ms. Srinjan Ghosh,
Mr. Subhrajit Dey.

For the State: Mr. Anwar Hossain, Jr. Govt. Adv.,
Mr. Joydeep Roy, Jr. Govt. Adv.,
Mr. Pratick Bose,
Md. Kutubuddin,
Ms. Manisha Sharma,
Ms. Sujata Das,
Mr. Navanil Dey.

Heard on: July 11, 2022.

Judgment on: July 11, 2022.

BIBEK CHAUDHURI, J. : –

1. This is an application for expeditious disposal of GR Case No.1823 of 2020 arising out of Contai Police Station Case No.431 dated 4th December, 2020 under Section 498A /302/34 of the IPC read with Section 3/4 of the Dowry Prohibition Act presently pending before the learned Additional Sessions Judge, Fast Track 1st Court at Contai, Purba Medinipur.

2. On perusal of averment made in the instant revision and having heard the learned Advocate for the petitioner this Court of the view that the instant revision can be disposed of here and now with the assistance of the learned Advocate for the state. Accordingly, Ms. Sujata Das, learned Advocate is requested to assist this Court on behalf of the State. Appointment of Ms. Sujata Das, be regularized by the learned Legal Rememberancer, Government of West Bengal.

3. It is stated by the petitioners that marriage of the daughter of the defacto complainant was solemnized with petitioner No.1 in the year 2009. The wife of the petitioner No.1 had met with an unnatural death on 2nd December, 2020. Over the said incident the defacto complaint lodged written complaint in the jurisdictional police station on 4th December, 2020 and police registered Contai P.S Case No.431 dated 4th December, 2020 under Sections 498A/302/34 of the IPC read with Section 3/4 of the Dowry Prohibition Act. The petitioners were arrested in the said case and subsequently they were released on bail. It is also submitted on behalf of the petitioners that police submitted charge-sheet against the petitioners and the case was committed to court of Sessions on 23rd November, 2021. Subsequently, the case was transferred to the court of learned Additional Sessions Judge, Fast Track 1st Court at Contai. Date was fixed for consideration of charge on 14th June, 2022. However, on the said date charge was not framed on the ground that the learned P.P-in-Charge did not receive the case diary. The trial court fixed 8th August, 2022 for appearance of the accused persons and consideration of charge.

4. Under such circumstances, petitioners have prayed for expeditious disposal of the case.

5. Having heard the learned Advocate for the petitioner and the learned Advocate for the State and on careful perusal of the impugned order passed in Sessions Case No.554 of 2021, it is found the till date charge has not been framed by the trial court. Therefore, question of a direction for expeditious disposal and the aforementioned case does not arise at this stage. However, the learned trial judge is directed to frame charge against the accused persons positively on 8th August, 2022 and fix a schedule for examination of the witnesses on behalf of the prosecution.

6. With the above direction the instant revision is disposed of.

(Bibek Chaudhuri, J.)