

D/L 21
February 4,
2022
Bpg.

C.R.R. No.2306 of 2018
(Via Video Conference)

In Re: An application under Section 483 read with Section 482 of the
Code of Criminal Procedure, 1973;

Kamaluddin
Versus
The State of West Bengal & Ors.

Mr. Anindya Bose,
Mr. Diptendu Mandal.
...for the petitioner.

Mr. Arijit Ganguly,
Mr. Sanjib Kr. Dan.
...for the State.

Learned advocate for the petitioner is anxious regarding
the progress of the trial as the case was initiated in the year 2014.

Records of this revisional reflect that the matter is
pending before the learned Judicial Magistrate, 2nd Court, Alipore
and last of the order so enclosed along with the revisional
application reflects that the case was fixed for evidence.

Learned advocate submits that the accused has been
intentionally delaying the proceedings and the trial could not
progress.

Mr. Sanjib Kr. Dan, learned advocate, appears on behalf
of the State.

The initiation of the case was in the year 2014 and as
has been submitted by the learned advocate for the petitioner that
the progress of the trial has been delayed for non-appearance of

some of the accused persons.

In view of the submission, which has been advanced by the learned advocate for the petitioner, I direct that in case the trial has not progressed for non-appearance of the accused persons or for their absence from the court on the date so fixed for recording of evidence, the learned Magistrate would be at liberty to exhaust harsher process of law or alter the conditions of bail so as to compel their appearance on each and every date so fixed for trial. In view of the courts operating in a staggering manner for a considerable period in the year 2020 and 2021, no fixed schedule is fixed for the time being for completion of the trial, but the learned trial court will take all efforts by fixing at least one date in a month for the trial of the case so that in a reasonable manner the trial can be taken to its logical conclusion.

With the aforesaid observations, CRR 2306 of 2018 is disposed of.

Pending application, if any, is consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)