

25.11.2022

Item No.22
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 3242 of 2022

**Samir Mondal
versus
State of West Bengal**

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

Mr. Satadru Lahiri,
Mr. Safdar Azam,
Mr. Shirsho Dasgupta,
Mr. Syed Wasim Faruque ... For the Petitioner.

Md. Anwar Hossain,
Ms. Manisha Sharma ... For the State.

The petitioner is in custody since 21.12.2019 in connection with Swarupnagar Police Station Case No. 1095 of 2019 dated 21.12.2019. Learned advocate appearing for the petitioner submits that charge-sheet was submitted on 10.02.2020 and supplementary charge-sheet was submitted on 19.05.2021 and although charge was framed on 07.10.2021, but till date, no witness could be examined by the learned trial court. It has been informed that there are ten witnesses in support of the prosecution case.

Having regard to the fact that the petitioner is in custody for about 35 months and till date, no witness has been examined, learned trial court would fix a schedule consisting of three dates and fix such a schedule on each and every month so that trial of the case can be taken to its logical conclusion within a reasonable period of time. No unnecessary adjournment should be granted to either of the

parties and in case, any witness is absent on the date fixed for evidence, the learned trial court would be empowered to impose cost upon the witness.

The learned public prosecutor conducting the trial would be duty bound to assure the court regarding the availability of the witnesses prior to the schedule/date being fixed by the learned trial court.

The prosecution would be held responsible, in case a witness is present and the case cannot progress for want of seized alamats. All efforts must be taken by the learned trial court to complete the trial within a reasonable period of time.

The learned trial court is directed to strictly adhere to the monthly schedule so that the petitioner, who is in custody for about 35 months, may get a verdict within a reasonable period of time from the date of communication of this order.

With the aforesaid observations, the revisional application being CRR 3242 of 2022 is disposed of.

All pending connected applications, if any, are consequently disposed of.

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

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

(Tirthankar Ghosh, J.)