

25.11.2022

Item No.23

Ct.No.34

dc.

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

C.R.R. 3320 of 2022

**Suman Kundu
versus
The State of West Bengal**

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

Mr. Sudip Ghosh Chowdhury,
Mr. Argha Das ... For the Petitioner.

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

The present petitioner was arrested in connection with Uttarpa Police Station Case No. 300 of 2020 dated 26.09.2020 on 26.09.2020. The investigating agency on conclusion of investigation, submitted charge-sheet on March 2021 and the learned trial court framed charges against the petitioner on or about 13.09.2021. The anxiety expressed by the learned advocate appearing for the petitioner is that almost 26 months have expired since the petitioner was arrested and till date, no witness has been examined by the prosecution, although they have relied upon 12 witnesses to prove their case. It has also been informed that the next date has been fixed on 05.01.2023.

Learned advocate for the petitioner is directed to hand over a copy of this revisional application to Mr. Anwar Hossain, learned advocate who ordinarily appears for the State. His appointment may be regularised by the concerned authorities.

In view of the contentions so advanced by the learned advocate for the petitioner, I direct the learned trial court to

fix a schedule consisting of three dates and fix such a schedule 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 without reasonable cause, the learned trial court should impose cost upon him/her.

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 the seized alamats are not produced on the relevant date when the witness is physically present before the court for his/her deposition. All efforts must be taken by the learned trial court to complete the trial within a reasonable period of time.

With the aforesaid observations, the revisional application being CRR 3320 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.)