

25.11.2022

Item No.143
Ct.No.34
dc.

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

C.R.R. 3356 of 2022

**Mrinal Kanti Kulu
versus
The State of West Bengal**

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

Ms. Riya Das,
Mr. Sunny Nandy ... For the Petitioner.

Md. Anwar Hossain,
Ms. Ratna Ghosh ... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody since 18.04.2021 and more than 20 months have passed, but till date, only one witness has been examined.

In view of the anxiety expressed by the learned advocate for the petitioner, she is directed to serve a copy of this revisional application upon Mr. Anwar Hossain, learned advocate who ordinarily appears for the State. His appointment may be regularised by the concerned authorities.

The last of the order-sheet, so enclosed, reflects that as the local Bar was observing cease work, in spite of the accused persons being produced, the trial could not progress. Learned trial court is henceforth directed to continue with the trial in spite of any resolution of the Bar being passed.

The learned trial court would fix a schedule consisting of three dates and such a schedule must be fixed on every sixty days.

It has been submitted that there are ten witnesses in this case. Learned trial court would take steps so that in a schedule, at least examination-in-chief and cross-examination of two witnesses are over.

No unnecessary adjournment should be granted to either of the parties.

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 seized alamats/other materials including the documents must be produced before the court on the date when evidence is fixed for a particular witness. No witness or production of materials should be excused from being produced or available in court on the date so fixed on any flimsy grounds.

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 3356 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.)