

24-06-2022
Subha
Item no.37
Ct no.35

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 2707 of 2021

Gopal Chandra Niyogi
-versus-
The State of West Bengal

In Re : An application under Section 483 read with Section 482 and 401 of the Code of Criminal Procedure.

Mr. Anirban Das
.....for the petitioner.

Mr. Anirban Das, learned advocate appears on behalf of the petitioner. The matter appears today as listed motion.

None appears on behalf of the State.

The petitioner filed an application under Section 401 read with Sections 482 and 401 of the Code of Criminal Procedure praying for expeditious trial and disposal of Special Case No. 2 of 2005 under Section 7 of the Prevention of Corruption Act, 1988 and Section 420 of the Indian Penal Code arising out of Bankura Police Station Case No. 5 dated 04.01.2003 now pending before the learned Judge, Special Court(under the Electricity Act) cum Additional Sessions Judge, 3rd Court, Bankura.

An affidavit of service has been filed by the petitioner. Perused the same. It appears that notice was served upon the Office of the learned Public Prosecutor, High Court, Calcutta. Let the affidavit of service be taken on record.

Perused the revisional application. Heard the learned advocate appearing on behalf of the petitioner. It is submitted that the case is pending before the learned Additional Sessions Judge, 3rd court, Bankura after submission of chargesheet on 27.07.2003. Due to long pendency, the petitioner had filed CRR 910 of 2016 which was disposed of by a Co-ordinate Bench of this court by order dated 14.03.2016 directing the trial court to take necessary steps and proceed with the trial as expeditiously as possible and conclude the same at an early date.

It is submitted that even after communication of the said order, the case is still pending for which the petitioner has again approached this court after five and half years seeking the same direction.

Perused the case record and the certified copy of the orders passed in Special Case No. 2 of 2005. I find that out of 12 witnesses cited in this case, the trial court had examined witness no. 3 in part. It indicates that trial of the case is being proceeded with in proper manner. This revisional application filed by the petitioner is being disposed of with a direction to the learned Judge, Special Court (under the Electricity Act) cum learned Additional Sessions Judge, 3rd Court, Bankura to conduct trial of the case on regular basis and dispose of the same as expeditiously as possible preferably within a period of six month from the date of the communication of this order.

Accordingly, the revisional application being CRR 2707 of 2021 is disposed of.

Department is directed to send a copy of this order to the

concerned trial court at once.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Ananda Kumar Mukherjee, J]