

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

CRR 3643 of 2022

**Pritam Basak
Vs.
The State of West Bengal & Ors.**

**For the petitioner : Mr. Arindam Sen, Adv.,
Mr. Samit Bhanja, Adv.**

**For the State : Mr. Arijit Ganguly, Adv.,
Mrs. Purnima Ghosh, Adv.**

Judgement on : 12.12.2022.

Bibek Chaudhuri, J.

The instant revision is for expeditious disposal of G. R. Case No. 756/2020 arising out of Dum Dum Police Station Case No. 69/2020 dated 28th February, 2020 alleging commission of offence under Section 420/419/409/323/120B of the Indian Penal Code. The petitioner is the *de facto* complainant of the case.

On perusal of the instant revision and having heard the learned Advocate for the petitioner this Court is of the view that the instant revision can be disposed of here and now with the assistance of the learned Public Prosecutor-in-Charge.

Mr. Arijit Ganguly, appears on behalf of the State of West Bengal.

It is unfortunate to see and note that Police submitted charge-sheet against the accused persons/opposite parties in connection with the above-mentioned case on 18th January, 2021. It took one year and two months for the learned Additional Chief Judicial Magistrate, Barrackpore to comply with the provision of Section 207 of the Code of Criminal Procedure and vide order dated 10th March, 2022 the case was transferred to the 2nd Court of the learned Judicial Magistrate for disposal. The case record was produced before the learned Magistrate on 30th May, 2022 and the learned Magistrate fixed 16th June, 2023 that is after a lapse of just one year and 14 days for appearance of the accused persons.

Speedy disposal of a criminal trial is a *sine quo non* of right to life and personal liberty. The accused persons do not only enjoy such fundamental right but the complainant also wants to see that his case is disposed of within a reasonable period of time. This is an example where justice is delayed and hence may be denied.

Therefore, the instant revision is disposed of directing the learned Judicial Magistrate, 2nd Court at Barrackpore to prepond the date of appearance of the accused persons within one month from the date of communication of the order after serving notice to the learned Advocates for the parties appearing in the Trial Court. The learned Magistrate shall proceed with the further hearing of the case in accordance with law.

The petitioner is at liberty to act on the server copy of the order.

(Bibek Chaudhuri, J.)

Srimanta, A.R.(Ct.)
Item No. 17.