

21.02. 2022
item No.16
n.b.
ct. no. 34

(via video conference)
CRR 3355 of 2018

Sri. Kalyan Krishna Nandi
Vs.
Smt. Nita Nandi(Mani)

Mr. Kalyan Krishna Nandi
.. Petitioner-in-person.

Mr. Prasun Datta,
Md. Kutub Uddin
.. for the State

Record before this court reflects that by an order dated January 18, 2020, date was fixed on 5.8.2020 for appearance and framing of charge by the jurisdictional court. This court has been informed by the petitioner that the next date of the case has been fixed in the month of May, 2020. The courts have been operating in staggered manner since March, 2020 and the full operation of the Trial Courts has been in a discreet manner during this period of about two years. There are huge pendency of cases and the Trial Courts are overburdened.

Having regard to the same, I do not think any schedule should be fixed for conclusion of the Trial. However, considering the plight of the petitioner, the learned Trial Court should take efforts for consideration of the charges on the next date so fixed or

within a month thereafter. Learned Trial Court thereafter should proceed by adhering to the principles of Section 309 of the Code of Criminal Procedure for taking the trial to its logical conclusion. The learned Trial Court would be at liberty to keep all the petitions pending after the charge is framed and would consider the same at the stage of the argument until and unless the application so filed in course of the evidence reflects that the application/petition would touch the right of the parties at the evidence stage.

With the aforesaid observation CRR 3355 of 2018 is disposed of.

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

Interim order, if any, is hereby vacated.

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

(Tirthankar Ghosh, J.)