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22.02.2022

Ct. No. 39

High Court at Calcutta
In The Circuit Bench At Jalpaiguri
Appellate Side

CRR 22 of 2022

In the matter of:- Tapashi Das & Anr.

...petitioners

Mr. Alok Bhowmik
....for the petitioners.

Mr. Imran Ali,
Mr. Dipankar Paramanick.
....for the State.

This is an application seeking an expeditious disposal of a proceeding in which a charge sheet was submitted under Section 498A of the Penal Code.

Let a copy of this application be served upon Mr. Imran Ali and Mr. Dipankar Paramanick, learned Counsels who ordinarily appear on behalf of the State. Let them represent the State. Their engagement may be regularised by the competent authority of the State in due course.

Learned Counsel appearing on behalf of the petitioners submits as follows. The petitioners are the accused in this case. On 09.03.2018, the de facto complainant/opposite party no.2 lodged an FIR against the petitioners under Section 498A of the Penal Code. A charge sheet was submitted on 02.08.2018. In all, six witnesses are proposed to be examined in this case. A charge was also framed on 06.10.2018. Yet, till date, the proceeding could not be concluded. Several dates were fixed for evidence, but the witnesses did not turn up. The present proceeding has remained pending for no fault on the part of the present petitioner.

Learned Counsel appearing on behalf of the State submits that it is true that some delay has been occasioned in this case. However, some of it is attributable to the onset of the Covid 19 pandemic.

I have heard the submissions of the learned counsels appearing on behalf of the petitioners and the State and have perused the revision petition.

No prejudice will be caused to anyone, if a direction is passed in respect of a prayer to expedite the proceeding.

It is true that in the meantime, normal functioning of the Court was disrupted due to the onset of Covid 19 pandemic.

However, in the present case although charges were framed in August, 2018, till date, not a single witness could be examined.

Regardless of the reason for the delay occasioned in this case, it could not be denied that the matter is pending since 2018.

In view of the same and in the interest of justice, the learned Trial Court is requested to conclude the trial as expeditiously as possible without granting any unnecessary adjournment to any of the parties and by taking necessary coercive measures to ensure the attendance of witnesses.

With the above observations, the revisional application is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)