

07.09.2022

Item No.61

Ct.No.2

dc.

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 125 of 2022

**Tapas Karmakar
versus
The State of West Bengal & Anr.**

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

Mr. Kunaljit Bhattacharjee,
Mr. Alok Sah ... For the Petitioner.

Mr. Aditi Shankar Chakraborty,
Mr. Nilay Chakraborty ... For the State.

Affidavit-of-service filed in Court today be kept on record.

Learned advocate appearing for the complainant is anxious regarding the progress of the trial before the learned Judicial Magistrate, 3rd Court, Jalpaiguri. The present is a case under Sections 279/304A of the Indian Penal Code registered with Kotwali Police Station Case No. 624 of 2016 dated 05.11.2016.

Having regard to the fact that although charge-sheet was submitted and there has been no progress as pointed out by the learned advocate appearing for the petitioner, the learned trial court has been pleased to fix a date after 1 year 5 months, I am of the opinion that some direction must be passed so that trial of the case can at least proceed to some extent. As pointed out that on 21.03.2022, the learned Magistrate recorded resolution adopted by local Bar

Association and fixed date for 04.08.2023 for appearance. Having regard to the long time period which has been fixed, I direct the learned Magistrate that before the memory of the witnesses fade away, the learned Magistrate would take endeavour so that at least once in three months a date is fixed so that some progress can be there in the trial of the case.

With the aforesaid observations, the revisional application being CRR 125 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.)