

29.11.2023
Serial no. 19
[G.S.D]

CRR 52 of 2023
With
CRAN 1 of 2023

In the matter of : Nilima Das & Anr.
... .. Petitioners

MR. A. K. BISWAS
MR. AMIT SINGH
MR. J. AGARWAL
MS. P. MANDAL

... FOR THE PETITIONERS

Md. Anowar Hossain
Ms. Ratna Ghosh

... for the State

The petitioners have been implicated in connection with Serampore P.S. case no. 402 of 2018 dated 16.8.2018 which was registered for investigation under Sections 498A/406 of the IPC.

Earlier, a report was called for. The report reflects that charge-sheet was submitted in the year 2019 under the same sections. The Id. trial court was also pleased to frame charges against the present petitioners.

The grievance of the petitioners are that they are intentionally dragged without any progress in the trial of the case.

The record of the case reflects that the evidence of the case has been fixed and the date has been scheduled on numerous occasions for evidence of CSW1.

The Id. trial court is directed to ensure that from the next date on wards at least one date be fixed in a month so that the trial of the case can be taken to its logical conclusion within a reasonable period of time. In case, any of the witnesses is not appearing, in that case, the Id. trial court will inform the concerned witness through the inspector in charge or the officer in charge of Serampore P.S., who would depute an office for serving a notice for appearance on the date so fixed by the Id. trial court. All efforts be taken to complete the trial at the earliest as only six witnesses have been relied upon by the prosecution.

In case, any witness is not present on three occasions and it is evident before the court that the said witness is not appearing in spite of notice being received from the court, in that case, the Id. trial court will close the evidence of such witness and proceed with the case.

With the aforesaid observations, CRR 52 of 2023 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court at Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)