

**14.09.2023**  
**Serial no. 8**  
[G.S.D]

## **CRR 627 of 2023**

**In the matter of : Obaidar Rahaman**

... .. Petitioners

*Ms. Rita Patra*  
Mr. M.F.A. Begg  
Ms. P. Das

... for the petitioner

Mr. S. G. Mukherjee  
Md. Anowar Hossain  
Ms. Sreyashee Biswas

... for the State

The petitioner is directed to serve a copy of this revisional application upon Mr. Anowar Hossain, Learned Advocate, who ordinarily appears on behalf of the State. His appearance may be regularised by the concerned authority.

Learned Advocate for the petitioner submits that the case commenced in the year 2001 and, more than, 22 years have passed. But, till date no witness has been examined in connection with the instant case. The allegations which have been made in the charge-sheet are under Sections 153A/153B/295A/298/505/120B of the IPC.

Having regard to the fact that more than 22 years have passed, I direct that the Superintendent of Police, who is in charge of Berhampore P.S. would act as a Nodal Officer

of Berhampore P.S. Case No. 335 dt. 27.9.2001, which is pending before the Ld. JM, 3<sup>rd</sup> Court, Berhampore, Murshidabad.

The Ld. Magistrate, henceforth, from the next date, is directed to fix two dates in a week for the purpose of the present case. The concerned Superintendent of Police would ensure regarding the witness being present on the date so fixed by the Id. Magistrate. The Id. Magistrate would communicate with the Superintendent of Police concerned. No unnecessary adjournment may be granted to either of the parties. The trial would continue according to the schedule of two days per week. All efforts be made by the prosecution to produce the witness before the Ld. Court. If, thereafter, examination of 50% of the witnesses are not completed within a year from date, then, the petitioners would be at liberty to pray for discharge from the instant case. All stakeholders would cooperate with the Id. Trial Court so that the trial is completed at the earliest.

Mr. Anowar Hossain is directed to immediately communicate this order to the Superintendent of Police of the concerned district, who is in charge of Berhampore P.S.

With the aforesaid observations, the revisional application, being CRR 627 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.)**