

Form J(1)

**IN THE HIGH COURT AT CALCUTTA  
Criminal Revisional Jurisdiction  
Appellate Side**

**Present :  
The Hon'ble Justice Bibek Chaudhuri**

**CRR 802 of 2023**

**Dildar Sk.  
Vs.  
The State of West Bengal**

Mr. Partha Sarathi Das  
Mr. Kaushik Biswas  
Ms. Shanta Sarkar  
...for the petitioner

Mr. Palash Chandra Majhi  
..for the State

**Item No. 29**

**Heard & Judgment on: 21.03.2023**

**Bibek Chaudhuri, J.**

The petitioner in custody is an accused in connection with Sessions Case No. 246 of 2021 pending before the learned Sessions Judge, Malda. This case arises out of Englishbazar Police Station Case No. 998 of 2021 dated 16<sup>th</sup> August, 2021 under Section 302 of the Indian Penal Code. In connection with some other case the petitioner

is languishing in correctional home at Balurghat. It is alleged that on the date of hearing of the above mentioned Sessions Case he is not produced before the learned Sessions Judge at Malda and due to such reason trial of the above mentioned Sessions Case is being delayed. The petitioner has prayed for expeditious disposal of the above numbered Sessions Case. This Court is of the view that the instant revision can be disposed of here and now with the assistance of the learned advocate from the State panel.

Mr. Palash Chandra Majhi, learned P.P.-in-charge is requested to assist this Court in the instant matter.

It is ascertained from the submission made by the learned advocate for the petitioner that being an accused in a case under Section 302 of the Indian Penal Code the petitioner wants early disposal of the case which is pending before the learned Sessions Judge at Malda. The petitioner is in custody in connection with some other case at Balurghat. It is alleged that he is not being produced before the learned Sessions Judge at Malda on the date of hearing.

Under such circumstances, the instant revision is disposed of directing the learned Sessions Judge to direct the Superintendent, Balurghat District Correctional Home to produce the accused positively on the next date of hearing. Thereafter the learned Sessions Judge shall consider as to whether the accused can be kept

in custody at Malda Correctional Home till the disposal of the Sessions Case No. 246 of 2021.

The learned Sessions Judge is also requested to take expeditious step for disposal of the above mentioned case at an early date.

The instant revision is disposed of.

**(Bibek Chaudhuri, J.)**