

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 920 of 2023

Siba Prasad Ghosh @ Shibaprasad Ghosh

-Vs-

The State of West Bengal & Anr.

For the Petitioner: Mr. Diptangshu Basu, Adv.,

For the State: Mr. Manaranjan Mahata, Adv.,

Heard on: 4th April, 2023.

Judgment on: 4th April, 2023.

BIBEK CHAUDHURI, J. : –

1. This is an application for expeditious disposal of G.R. case no. 524 of 2017 filed by the petitioner/accused person arising out of Bidhannagar (S) Police Station Case no. 119 of 2017 dated 3rd July, 2017 under Section 504/406/379/408/384/385/386/387/506/120B of the Indian Penal Code presently pending before the Learned Judicial Magistrate at Bidhannagar.

2. On perusal of the instant application and the materials on record, this court is of the view that the instant application can be disposed of with the assistance of the learned public prosecutor-in-charge on behalf of the State. Therefore Mr. Manaranjan Mahata learned advocate is

requested to assist this court on behalf of the state. Appointment of Mr. Manaranjan Mahata be regularized by the learned Legal Remembrancer, Government of West Bengal.

3. It is submitted by the learned advocate for the petitioner that the case was initiated on the basis of an application under Section 156(3) of the Cr.P.C. by the opposite party no. 504/406/379/408/384/385/386/387/506/120B of the IPC. After completion of investigation chargesheet was submitted being no. 198 of 2017 dated 30th November, 2017. The Learned Court below granted bail upon surrender of the petitioner on 18th December, 2018. Charge was framed on 29th November, 2019 under section 408/34 of the IPC and the next date was fixed on 6th April, 2020 for evidence. Due to Covid lockdown the matter could not be proceeded but later on several occasions witness is absent and adjournments are given on every date. None of the witnesses has been examined since 2020 and next date has been fixed on 30th May, 2023 for evidence.

4. It is further submitted by the learned Advocate for the petitioner that the prosecution is not at all serious for speedy disposal of the case. The petitioner is facing trial since 2020 and no witness has been examined. Therefore, necessary direction may be issued upon the court below for expeditious disposal.

5. It is unfortunate to note that the charge sheet was submitted and charge was framed against the petitioner on 2020 and till date not a single witness has been examined and next date for evidence is fixed on 30th May, 2023. This is high time when trial court should be directed to give

preference in the hearing of the case and dispose of the case at the earliest.

6. In view of the above factual position and considering the pendency of the case, the instant revisional application is disposed of directing the trial court to examine all the charge-sheeted witnesses within six months from the date of communication of the order and dispose of the case at the earliest.

7. The instant criminal revision is thus disposed of with the above direction.

8. The learned Advocate for the petitioner is at liberty to communicate this order to the trial court and the trial court is directed to act upon the server copy of the order.

(Bibek Chaudhuri, J.)