

02.02.2023
Item No.19
BR

CRR 881 of 2011

In the matter of : Kamal Ahmad

.....petitioner

Mr.B.K.Roy,
Ms. Sima Biswas

..... for the State

None is appearing to represent the
petitioner.

This criminal revision is pending for more than 11 years. Therefore, I propose to dispose of the revisional application on merit based on materials available with the record. The anxiety and agony of the petitioner caused by existence of criminal proceeding being GR case No. 113 of 2003 and GR case No. 2372 of 2005 arising out of East Bidhannagar P.S. case No. 1 of 2003 dated 9th January, 2003 for more than 8 years before the learned trial Court, without any progress are immense. It is contended that one Smt. Sayanti Ghosh informed the Officer-in-Charge of East Bidhannagar P.S. about her plight and the Officer-in-Charge of the said police station registered a case being East Bidhannagar P.S. case No. 1 of 2003

under Sections 498A/406 of the Indian Penal Code. The said case was registered as GR case No. 113 of 2003 initially and subsequently renumbered as GR case No. 2372 of 2005. Police though took up investigation could not complete the same and failed to submit charge sheet even after lapse of eight years. While acknowledging the right of the petitioner to have speedy disposal and appreciating his anxiety as well as agony caused by the slow or no pace in the proceeding, however, I do not consider the same to be sufficient to invoke the jurisdiction conferred under Section 482 of the Cr P C which has been conferred upon the Court to secure the ends of justice. However, while disposing the revisional application, I am inclined to direct the concerned authorities to rise to the occasion and to act to secure the constitutional right of the litigants to have speedy trial.

With this observation the criminal revision is disposed of.

Let a copy of the order be sent down to the learned trial Court for information and necessary action.

Urgent certified copy, if applied therefor, be supplied upon compliance of usual formalities.

(Siddhartha Roy Chowdhury, J.)

