

June 22, 2023
AD -80
Ct. 34
SG

CRR 1091 of 2023

Subash Chandra Mukherjee
-versus-
The State of West Bengal and another

Mr. Tapas Chatterjee
... for the petitioner

Mr. Arijit Ganguly
Ms. Manisha Sharma
... for the State

Petitioner is directed to serve a copy of the revisional application upon Ms. Sharma, learned advocate who ordinarily appears on behalf of the State. Her appointment may be regularised by the concerned authorities.

Learned advocate for the petitioner prays for expeditious disposal of GR Case No.158 of 2010 arising out of Purbasthali PS Case No.68 of 2010.

Learned advocate for the petitioner expresses his anxiety regarding the continuance of the proceedings for the last 13 years.

In view of the submission so advanced and the factum that the trial is under Section 409 IPC, I find that the learned magistrate would take into account the provisions of Section 323 Cr.P.C. If public money is involved, the learned magistrate would refer to the appropriate special court in spite of the trial having commenced. In the

alternative the learned magistrate would fix at least a schedule consisting of 4 dates and fix the schedule once in a month so that the trial of the case can be taken to its logical conclusion within a reasonable period of time. Even if this case is transferred to any other court pursuant to any decision taken by the learned magistrate, then the said court would adhere to the manner and mode of fixing dates as directed above.

In this case, the concerned superior officer of the police in the rank of SDPO/DSP/ASP in charge of Purbasthali Police Station would entrust an appropriate officer who would act as a nodal officer and submit a report before such superior officer regarding the availability of the witnesses and progress of the case. All efforts must be taken to conclude the trial at the earliest.

With the aforesaid observations, CRR 1091 of 2023 is disposed of.

Pending application, if any, is consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)

