

D/L5
29.11.2023
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C.R.R.1129 of 2023

In Re: An application under Section 483 read with Section 482 of the
Code of Criminal Procedure, 1973;

Smt. Sangita Sarkar nee Mandal
Versus
The State of West Bengal and another

Mr. Pawan Kumar Gupta
Mr. Atulya Sinha
Ms. Sofia Nesar
Mr. Santanu Sett.
...for the petitioner.

Mr. S.S. Imam
Mr. S. Deb Roy.
...for the State.

Affidavit-of-service so filed be kept with the record.

Mr. Gupta, learned advocate appearing for the petitioner
submits that Haridevpur Police Station Case No.225 of 2016 dated
19.04.2016 under Section 498A of the Indian Penal Code is pending
before the learned ACJM, Alipore, 24 Parganas (South).

Since the inception of the case more than 7½ years have
passed but till date charges are yet to be considered by the learned
trial court. Having considered the plight expressed by the petitioner,
I am of the view that the same is justified.

Learned ACJM, Alipore, 24 Parganas (South) is directed
to consider the charges on the next date so fixed for hearing and
complete the said process within a month from the said date so
fixed. In case the court considers that trial should proceed after
consideration of charges, the learned trial court would fix one date
in a month for the purposes of the present case so that the trial of

the case can be taken to its logical conclusion within a reasonable period of time. The public prosecutor conducting the case would produce materials, exhibits and documents on the next date so fixed for evidence. Since the petitioner happens to be the de facto complainant, the petitioner is directed to be present as and when she receives the summons. So far as the other witnesses are concerned, the court will take steps for ensuring their appearance, if required through the Inspector-In-Charge of the local Police Station.

With the aforesaid observations, CRR 1129 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.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)