

D/L83
15.06.2023
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C.R.R.1193 of 2023

In Re: An application under Section 483 of the Code of Criminal Procedure;

Mofazzel Haque alias Mofajjel Hoque
Versus
The State of West Bengal

Mr. Angshuman Chakraborty,
Mr. Shashanka Shekhar Saha.
...for the petitioner.

Mr. Tanmay Kr. Ghosh,
Ms. Ratna Ghosh.
...for the State.

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

Learned advocate for the petitioner submits that the charge-sheet was submitted on 30.06.2014 and charge was framed on 14.02.2017, but till date out of eight witnesses cited by the prosecution in the charge-sheet, no witness has been examined and the next date has been fixed on 15th November, 2023.

Having regard to the fact that the case is more than 10 years old and till date no witnesses has been examined, I direct that learned trial court henceforth would fix at least one date in a month for the purpose of the present case so that there is some progress in the trial of the case. The public prosecutor conducting the case should make available all the materials, exhibits and documents on the date so fixed for examination of the witnesses. If the learned

Magistrate faces any difficulty in execution of notice to the witnesses concerned, in that case learned Magistrate would take steps against the concerned serving officer. In this case, the serving officer would be communicated by the Inspector-in-Charge, Barasat Police Station. The Inspector-in-Charge would be answerable and would submit a report for non-appearance of any of the witnesses under his signature and seal before the learned trial court. All efforts must be taken by the stakeholders for concluding the trial at the earliest.

With the aforesaid observations, CRR 1193 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.)