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05.06.2023
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C.R.R. 1517 of 2022

In Re: An application under Section 401 Cr.P.C read with Section 482 of the Code of Criminal Procedure;

Tapan Kumar Mondal
Versus
The State of West Bengal

Mr. Narayan Chandra Das,
Mr. Ashok Kr. Chowdhury,
Ms. Oindri Chowdhury.
...for the petitioners.

Mr. Kollol Mondal.
...for the CBI.

Learned advocate appearing for the petitioner at the very inception submits that he do not intend to pursue with the prayer for quashing of the proceedings and on the other hand prays for expeditious disposal of the trial of the case before the learned Judge, 3rd Special Court, CBI, Calcutta.

As the petitioner do not intend to canvass on the merits of the application, he is directed to serve a copy of the revisional application upon Mr. Kollol Mondal, learned advocate, who ordinarily appears on behalf of the CBI. His appearance may be regularised by the concerned authorities.

I find from the records of the case that the same was initiated in the year 2005 and the charge-sheet was submitted in the year 2007. The process of examination of the witnesses are not taking place in spite of steps being taken.

Having considered the plight which has been expressed by the present petitioner, I direct that the learned trial court in this

particular case being Special Case No.21 of 2008 would from the next date so fixed fix a schedule of dates for examination of the witnesses. No unnecessary adjournment should be granted to any of the parties. Any application filed by the parties in course of the proceedings until considered very necessary should be taken up by the learned trial court at the time of final arguments of the case.

The Superintendent of Police, CBI would monitor and ensure availability of the witnesses by engaging an Officer in the rank of Inspector and obtain compliance report from the said Inspector each and every month so that the trial of the case can be taken to its logical conclusion within a reasonable period of time.

Learned trial court is also directed to at least fix three dates consisting of schedule on each and every 45 days, so that all steps are taken towards conclusion of the trial.

No interference has been made so far as merit of the case is concerned.

Accordingly, the revisional application being CRR 1517 of 2022 is disposed.

Pending application, if any, is consequently disposed of.

Department is directed to communicate this order to the learned Special Judge, 3rd Court, CBI, Calcutta within a week from date.

Petitioner is also directed to inform the learned Special Court within a week from date.

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.)