

17-07-2023
Subha
Item no. 52
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1424 of 2023

Mallika Das (Mahanta)
-versus-
The State of West Bengal & Ors.

Mr. Subhendu Sekhar Roy
Mr. Amarendra Chakraborty
....for the petitioner.

Ms. Eshita Dutta
.....for the State.

Learned advocate for the petitioner is directed to serve a copy of the revisional application upon Ms. Eshita Dutta, learned advocate, who ordinarily appears before this court on behalf of the State. Her appearance may be regularized by the concerned Authorities in due course.

Mr. Roy, learned advocate for the petitioner submits that there is a mandate under the provisions of the POCSO Act to complete the trial within a scheduled period. In the present case, more than five and half months have expired since the initiation of the case, but till date there has been any effort for examination of any witness.

I have examined the records of the case and I find that on 23rd March, 2023, the learned trial court directed for issuance of proclamation and attachment against one accused namely, Barun Biswas. The complainant is, as such, aggrieved.

Having regard to the delay which is complained of, I direct that if the accused in respect of whom the process is pending is consuming time then the learned special court would exhaust the process of law as early as possible and thereafter split the trial of the case and proceed against the rest of the accused persons who are appearing before the court. The learned trial court would adhere to the dictates of the statute and the time period so prescribed under the law.

With the aforesaid observations, the revisional application being CRR 1424 of 2023 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]