

D/L60
09.08.2023
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C.R.R.1439 of 2023

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

Saiful Islam Dhali
Versus
The State of West Bengal

Ms. Malashree Ghosh.
...for the petitioner.

Mr. Tanmay Kr. Ghosh
Ms. Trina Mitra.
...for the State.

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

Learned advocate appearing for the petitioner submits that the petitioner was arrested on 16th June, 2022 and since then he is in custody. According to the learned advocate, charge was framed in the month of November, 2022 and at least three schedules were fixed by the learned trial court, but till date, no witness has been examined. Learned advocate further submits that the prosecution has relied upon seven witnesses to prove its case.

Having considered the plight expressed by the learned advocate appearing for the petitioner that the petitioner is in custody for about 13 months, I am of the opinion that the anxiety is justified. Accordingly, learned trial court is directed to expedite the progress of the trial by fixing a schedule of three dates once in every

two months so that the trial of the case can be taken to its logical conclusion within a reasonable period of time. Learned trial court is directed to communicate with the Superintendent of Police of the concerned district so that the witnesses are compelled to appear on the date so fixed. The public prosecutor conducting the trial would produce the materials, exhibits and documents on the date fixed for examination of the witnesses. No unnecessary adjournment should be granted to either of the parties. All stakeholders should co-operate with the learned trial court so that the trial is concluded at the earliest.

With the aforesaid observations, CRR 1439 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.)