

D/L46
07.12.2023
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C.R.R.1587 of 2023

In Re: A petition under Section 483 of the Code of Criminal Procedure, 1973;

Mr. Subhas Chandra Dev
Versus
State of West Bengal

Mr. Aneek Pandit
Mr. Ali Rizvi.
...for the petitioner.

Mr. Mirza Firoj Ahmed Begg.
...for the State.

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

Petitioner happens to be the de facto complainant who is aggrieved by the fact that although the case was initiated in the year 2018 and in spite of charge-sheet being submitted within close proximity of time till date the charge could not be framed by the learned Judicial Magistrate, 1st Court, Alipore, South 24 Parganas in connection with ACGR No.5806 of 2018 (T.R. No.255 of 2022).

More than five years have passed. As such, learned Judicial Magistrate, 1st Court, Alipore, South 24 Parganas is directed to take steps so that after supply copies and documents under Section 207 of the Code of Criminal Procedure the learned trial court on the next date or within a month thereafter would overcome the stage of consideration of charges. If after consideration of charges the learned trial court is of the opinion that

the trial should proceed, in that case, the learned trial court would fix at least one date in every two months so that the trial of the case can be taken to its logical conclusion within a reasonable period of time.

No unnecessary adjournment should be granted to either of the parties. The public prosecutor conducting the case would ensure regarding the production of the materials, exhibits and documents available on the dates so fixed for examination of the witnesses. All stakeholders would co-operate with the learned trial court so that the trial is concluded at the earliest.

With the aforesaid observations, CRR 1587 of 2023 is disposed of.

Pending connected 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.)