

31.07.2023
Item no.46.
Court No.34.
AB

CRR No. 1685 of 2023

In the matter of : Rabidas Dutta

.....Petitioner.

Mr. Abhinaba Dan,
Mr. Nitish Samanta,
Ms. Sreemoyee Duttafor the Petitioner.

Mr. Anowar Hossain,
Ms. Manisha Sharmafor the State.

The petitioner is aggrieved by the fact that the proceedings are pending since the year 2014 and till date, the learned Trial Court has not considered the charges.

The petitioner is directed to serve a copy of this revisional application upon Mr. Anowar Hossain, Learned Advocate, who ordinarily appears on behalf of the State. His appearance may be regularized by the concerned authority.

Learned Advocate for the petitioner is definitely justified that for a considerable period of time, there has been no progress.

I find that on a number of occasions, dates were fixed for consideration of charge, but there was continuation of delay both on behalf of the prosecution as well as the accused. Prosecution cannot solely be made responsible for the delay.

Having regard to the gravity of the offence, I am not inclined to interfere with the merits of the proceedings. However, since substantial period has been wasted, I direct that the learned Trial Court would, on the next date so fixed or within a month thereafter, overcome the stage of consideration of charge and thereafter according to the outcome of the charge proceed with the trial of the case by fixing a date in a month so that the trial of the case can be taken to its logical conclusion within a reasonable period of time. No unnecessary adjournment will be granted to either of the parties and the learned Public Prosecutor would produce the exhibits on the date so fixed. All stakeholders would cooperate with the learned Trial Court in concluding the trial at the earliest.

With the aforesaid observations, CRR No.1685 of 2023 is disposed of.

Pending applications, if any, are consequently disposed of.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Tirthankar Ghosh, J.)