

07-07-2023
Subha
Item no. 53
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1940 of 2022

Navneet Dujari
-versus-
The State of West Bengal & ors.

Mr. Sekhar Mukherjee
Mr. Anindya Chowdhury
....for the petitioner.

Mr. S. G. Mukherji, ld.PP
Mrs. Ratna Ghosh
....for the State.

Petitioner is aggrieved by the progress of Bowbazar Police Station Case No. 242 of 2019 dated 19-09-2019 under Sections 420/120B of the Indian Penal Code.

Petitioner is directed to serve a copy of the revisional application upon Mrs. Ratna Ghosh, learned advocate, who ordinarily appears on behalf of the State. Her appointment may be regularized by the concerned Authorities in due course.

Petitioner submits that there are only three witnesses, who are to be examined as relied upon in the chargesheet. However, till date, the learned Metropolitan Magistrate, 12th Court, Calcutta could not frame charges as the accused persons designedly evaded the process of court. I find from the records of the case that repeatedly dates have been fixed for appearance and service return.

Learned Metropolitan Magistrate, 12th Court, Calcutta is directed to take steps for compelling the appearance of the accused persons before the court on and from the next date so fixed and

thereafter within a month consider the charges to be framed against the accused. The learned court after consideration of charges if it is of the opinion that the trial of the case is required to be conducted would fix regular dates so that the trial of the case can be concluded within a reasonable period of time.

Needless to state that the learned trial court would exhaust harsher process of law in case simple service of summons or bailable warrant do not suffice the purpose of compelling the appearance. If required, the learned Magistrate would seek assistance of the Deputy Commissioner of Police in charge of Bowbazar PS for compelling such appearance of the accused persons. .

With the aforesaid observations, the present revisional application being CRR 1940 of 2022 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.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

[Tirthankar Ghosh, J]

