

D/L71
13.06.2023
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C.R.R.2094 of 2023

In Re: An application under Section 482 read with Section 483 of the
Code of Criminal Procedure, 1973;

Sri Nucleus Paul
Versus
The State of West Bengal and another

Mr. Shataroop Purkayastha,
Mr. Amitava Bhowmick,
Ms. Jagriti Bhattacharya.
...for the petitioner.

Mr. Palash Ch. Majhi.
...for the State.

Learned advocate for the petitioner is directed to serve a copy of the revisional application upon Mr. Palash Ch. Majhi, learned advocate, who ordinarily appears on behalf of the State. His appointment may be regularised by the concerned authorities.

Mr. Purkayastha, learned advocate appearing for the petitioner is aggrieved by the progress of the case in view of the fact that the petitioner's service career is being affected. It has been submitted that charge has been framed on 12th April, 2022 and six witnesses have been proposed to be relied upon by the prosecution to prove its case. Surprisingly, according to the petitioner, only one witness has been examined till date in part. The next date as has been submitted by the learned advocate appearing for the petitioner is fixed on 21st September, 2023.

The learned Judicial Magistrate, 8th Court, Alipore who is in *seisin* of the case arising out of Survey Park Police Station Case No.98 dated 27.06.2020 would take efforts for completing the

evidence of the first witness on 21.09.2023 or within a week thereafter. Learned court would thereafter fix at least one date in a month for examination of remaining witnesses 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. In case any witness is absent, learned Magistrate will inform the superior officer of police for compliance of the order and for compelling the appearance of the witnesses on the date so fixed. The public prosecutor conducting the case must produce all the materials, exhibits and documents available on the date on which the evidence of the witnesses are to be taken. All efforts be taken by the stakeholders to conclude the trial at the earliest.

With the aforesaid observations, CRR 2094 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.)