

14-06-2023
Subha
Item no. 90
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 2096 of 2023

Saibal Basu & Anr.
-versus-
The State of West Bengal & Anr.

Mr. Amitava Bhowmik
....for the petitioners.

Mr. S. G. Mukherji, Id. PP
Mr. Imran Ali
Ms. Debjani Sahu
...for the State.

Petitioners are directed to serve a copy of the revisional application upon Mr. Imran Ali, learned advocate who ordinarily appears on behalf of the State. His appointment may be regularized by the concerned Authorities in due course.

Learned advocate for the petitioners submits that the case was initiated in the year 2018 and after conclusion of investigation, charge was framed on December, 2021. Since then, twenty dates have been fixed by the learned trial court and in spite of that the examination of the 1st witness is still not over.

Learned advocate for the petitioner submits that the examination-in-chief in respect of the PW 1 was conducted for three dates and the cross-examination has been done for two dates. However, intermittently, the first prosecution witness is absent so that the continuation or the chain is broken. It has also been brought to the notice of the court that the prosecution has relied upon four witnesses to prove its case, which includes PW.-1, two

seizure witness and the investigating officer.

Having regard to the facts the learned trial court is directed to fix at least two dates in a month for the trial of the present case. The examination of PW-1 should be concluded by 30th September, 2023. The examination in respect of rest of the witnesses must be concluded by 1st March, 2024. The learned trial court would thereafter fix dates for examination under Section 313 of the Code of Criminal Procedure and proceed to decide the matter finally. Preferably, the final verdict of the case be pronounced by 31st July, 2024.

It is made clear that in view of the time limits set over here, no resolution of the local Bar would be applicable in respect of the trial of the present case. Strict steps be taken against the learned advocates conducting the trial if they take up plea for not participating in the trial by referring to the resolution of the local bar.

With the aforesaid observations, the present revisional application being CRR 2096 of 2023 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.

[Tirthankar Ghosh, J]

