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03.07.2023
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C.R.R.2350 of 2023

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

Sk. Abdul Sabir
Versus
The State of West Bengal and others

Mr. Mrityunjoy Chatterjee
Mr. Debapriya Majumder.
...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld.P.P.,
Mr. Koushik Kundu.
...for the State.

Learned advocate for the petitioner is aggrieved by the manner in which Burdwan Police Station Case No.478 of 2008 dated 16.09.2008 is progressing before the learned Chief Judicial Magistrate, Purba Burdwan.

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

Learned advocate for the petitioner has also submitted that substantial period of time was consumed by the accused persons when the application relating to challenge of the continuance of the proceedings before this Court was kept pending and subsequently application was not pressed. Drawing the attention of this Court to the order dated 14.12.2022, learned advocate submits till date the copies under Section 207 of the Code of Criminal Procedure have not been complied with by serving upon

the accused persons and warrant of arrest is pending.

Having regard to the delay which has occurred for almost 15 years, I direct the learned CJM, Purba Burdwan to take steps for proceeding to the harsher process of law so that the accused may be compelled to appear before the court. Learned trial court would thereafter within a week of appearance of the accused, serve copies under Section 207 of the Code of Criminal Procedure and fix dates for consideration of charges. Let such procedure be completed within six months from the next date so fixed before the learned trial court.

With the aforesaid observations, CRR 2350 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.)