

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

Present :

The Hon'ble Justice Bibek Chaudhuri

C.R.R. 2518 of 2022

Smt. Sarita Tiwari (nee Mishra)

Vs.

The State of West Bengal

For the petitioner : Mr. Debasis Kar, Adv.

For the State : Mr. M.F.A.Begg, Adv.

Heard on : 17.04.2023.

Judgment On : 17.04.2023.

Bibek Chaudhuri, J.

The instant revision is a glaring instance of procrastination of a criminal case due to the reason best known to the learned Magistrate. In G.R. Case No.4906 of 2014 charge-sheet was submitted on 30th November, 2014 under Sections 498A/406/323/325/506/34 of the Indian Penal Code read with Section 3 /4 of the Dowry Prohibition Act. The case is pending before the learned Judicial Magistrate, 2nd Court at Barrackpore.

It is submitted by the learned Advocate for the petitioner that there are only 6 witnesses in the charge-sheet. Charge was framed against the accused persons in 2014 itself, thereafter, almost 9 years have been elapsed but the learned Magistrate could not examine even a single witness

till date. Therefore, the de-facto complainant has approached this Court for a direction upon the Trial Court for expeditious disposal.

The instant revision can be disposed of here and now with the assistance of the learned Public Prosecutor-in-Charge. Mr.M.F.A.Begg, learned Advocate is requested to assist this Court on behalf of the State.

I have heard the learned Advocate for the petitioner.

When the de-facto complainant has approached this Court for expeditious disposal, the learned Magistrate at least can get the opportunity to examine the de-facto complainant who is interested to proceed with the case during the period of pendency of the case. This Court fails to understand as to whether the case is pending for such a long time without examining even a single witness.

Under such circumstances, the learned Judicial Magistrate, 2nd Court at Barrackpore is specifically directed to conclude recording evidence of charge-sheeted witnesses within six months from the date of this order and come to a logical conclusion of this case within one month thereafter.

With the above direction, the instant revisional application is disposed of.

(Bibek Chaudhuri, J.)

**Mithun De/
A.R. (Ct).
SI No.141.
D/L.**