

D/L6
09.06.2023
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C.R.R.2551 of 2022

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

Alokesh Patra
Versus
The State of West Bengal and another

Mr. Prosenjit Mukherjee.
...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld.P.P.,
Mr. Saryati Datta.
...for the State.

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

Learned advocate appearing for the petitioner/de facto complainant submits that S.T. No.31/2021 (New S.T.No.32/2021) arising out of Bagnan P.S. Case No.32 of 2018 dated 01.02.2018 was investigated for the alleged offence under Sections 302/201 of the Indian Penal Code and the learned trial court being the learned Additional Sessions Judge, 2nd Court, Uluberia, Howrah was pleased to frame charges against two of the accused persons and date for evidence of CSW 1 was fixed on 22.07.2022.

The grievance of the petitioner is that the principal accused is absconding and has preferred a revisional application being CRR 2219 of 2021 which is pending. It is his prayer that both the revisional applications be heard analogously.

I do not find any justification in the prayers so advanced.

In view of the fact that there is no clear picture regarding the progress of the trial of the case before the learned sessions court, let the trial of the sessions court proceed in its own spirit. So far as the other accused, who is absconding and against whom proclamation attachment has been issued and his revisional application being CRR 2219 of 2021 is pending, the same would be dealt with separately. No interference is called for in the present revisional application.

Learned trial court is directed to proceed with the trial of the case as expeditiously as possible without granting any unnecessary adjournment to either of the parties.

Accordingly, CRR 2551 of 2022 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.)