

D/L7
14.08.2023
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C.R.R.2439 of 2023
With
CRAN 1 of 2023

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

Tapan Sarkar
Versus
The State of West Bengal

Mr. Arnab Chatterjee
Mr. Dhanasree Biswas.
...for the petitioner.

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

Learned advocate appearing for the petitioner submits
that he do not intend to proceed with CRAN 1 of 2023.

Accordingly, CRAN 1 of 2023 is dismissed as not pressed.

Petitioner is directed to serve a copy of the revisional
application upon Mr. Saryati Datta, learned advocate appearing on
behalf of the State.

The grievance of the petitioner is that he has surrendered
before the learned trial court on 2nd January, 2023 and since then
he is in custody. The chemical examiners report was submitted on
10th April, 2023 and the charges were framed on or about 2nd June,
2023. However, there has been no efforts on behalf of the
prosecution to take initiative for commencing the prosecution,
although they have relied upon 14 witnesses to support its case.

Learned trial court would see that steps are taken for
expediting the progress of the trial at least fixing a schedule

consisting of three dates and such schedule be fixed once in every 75 days 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.

Learned trial court would also see that in case any witness is not appearing on the date so fixed, learned trial court would communicate with the Superintendent of Police of the concerned district who would communicate with the concerned witness who belongs to the Government Department or any other witness who have been cited for the purposes of this case and ensure to the court regarding his appearance on the date so fixed. The public prosecutor conducting the case would produce the materials, exhibits and documents on the date fixed for examination of the witnesses' concerned. All stakeholders should co-operate with the learned trial court for concluding the trial at the earliest.

With the aforesaid observations, CRR 2439 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.)

