

D/L7
14.07.2023
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C.R.R.2536 of 2023

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

Abhijit Mondal
Versus
The State of West Bengal and another

Mr. Krishnendu Bhattacharya
Mr. Santanu Talukdar
Mr. Priyankar Ganguly.
...for the petitioner.

Mr. Madhusudan Sur
Mr. Palash Chandra Majhi.
...for the State.

Ms. Roma Roy.
...for the

Petitioner is directed to serve a copy of the revisional application upon Mr. Madhusudan Sur, learned advocate, who ordinarily appears on behalf of the State. His appearance maybe regularised by the concerned authorities.

Mr. Bhattacharya, learned advocate appearing for the petitioner draws the attention of this Court to the order of the Hon'ble Supreme Court dated 24.03.2023 in Special Leave to Appeal (Crl.) 1254 of 2023 wherein the Hon'ble Supreme Court after refusing the bail of the present petitioner was pleased to direct for early examination of the victim child for subsequent consideration of the bail application of the present petitioner.

Records reflect that the next date has been fixed by the learned trial court after consideration of charge on 14th August,

2023 for evidence of CSW 1 and on 16.08.2022 for evidence of CSW 2.

It has been informed that CSW 1 happens to be the mother of the victim and CSW 2 happens to be the victim.

In view of the fact that one month is left, I am not inclined to prepone the date but the prosecution and the accused/petitioner would cooperate with the trial court so that evidence of the said witnesses are completed on 14th August, 2023 and on 16th August, 2023 respectively. I direct that this proceeding would continue and the evidence be recorded in spite of any resolution of the local bar.

With the aforesaid observations, CRR 2536 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.)