

D/L55
09.01.2023
Bpg.

C.R.R. No.2253 of 2021

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

Jayant Shekhar alias Jayant Shekhar Gupta
Versus
The State of West Bengal & Anr.

Mr. Dipanjan Chatterjee,
Mr. Subhadeep Ghosh.
...for the petitioner.

Mr. Sabir Ahmed,
Mr. Abdur Rakib,
Mr. Biswajit Sarkar,
Mr. Dhiman Banerjee.
...for the opposite party no.2.

Mr. Iqbal Kabir.
...for the State.

Mr. Chatterjee, learned advocate appearing for the petitioner challenges the continuance of the proceedings. Learned advocate submits that there are no allegations of demand of dowry and vague or bald allegations of physical and mental torture being inflicted upon the lady. It has also been submitted that the medical document so submitted along with the prosecution papers are questionable, which cannot be relied upon at this stage. Learned advocate prays for quashing the proceedings.

Mr. Kabir, learned advocate appearing for the State produces the case diary and also submits that charge has already been framed and date for evidence has been fixed by the learned trial court.

Mr. Ahmed, learned advocate appearing for the private

opposite party no.2 resists the submissions made by the learned advocate for the petitioner and states that there has been consistent physical and mental torture, as such, offences have been made out.

Having regard to the stage at which the prosecution has reached i.e. commencement of evidence, I am of the opinion that it would not be prudent at this stage to invoke the jurisdiction of the Court under Section 482 of the Code of Criminal Procedure. The petitioner would be at liberty to canvass the points advanced in the present revisional application in course of trial of the case by way of cross-examination and at the final stage of argument of the case.

With the aforesaid observations, CRR 2253 of 2021 is disposed of.

Pending application, if any, is consequently disposed of.

It has been brought to the notice that the case was initiated in the year 2018 and almost five years would be completed because of pendency of the criminal case. Accordingly, learned trial court would expedite the progress of the trial and at least fix a date for evidence of one witness in every 45 days so that the trial can be taken to its logical conclusion.

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.)

