

20.07.2023
Serial no. 3
[G.S.D]

CRR 2606 of 2023

In the matter of : Sukhwindar Kaur

... .. Petitioner

Mr. Arka Pratim Chowdhury
Ms. Shreya Chakraborty

... .. For the Petitioner

The petitioner is directed to serve a copy of this revisional application upon Ms. Baisali Basu, Learned Advocate, who ordinarily appears on behalf of the State. Her appearance may be regularised by the concerned authority.

The petitioner is aggrieved by the manner in which the proceedings relating to the Hirapur P.S. Case No. 88 of 2021 dated 02.05.2021 is progressing before the Learned Judicial Magistrate, 7th Court, Asansol.

Learned Advocate for the petitioner draws the attention of this Court to the orders passed by the Learned Judicial Magistrate. It reflects from the order-sheets that a date was fixed on 4th December, 2021 and the next date was fixed on 1st August, 2022. On 1st August, 2022 next date was fixed on 23rd March, 2023 and on 23rd March, 2023, next date has been fixed on 26th December, 2023.

I do not find any reason why a proceeding should be dealt with in a manner, which, with the passage of time, would lose its relevance. The dates are being fixed once in every eight months. The accused persons are strategically evading the Court and, for the last one and half years, nothing has happened.

Having regard to the fact that the case was registered in the year 2021 and charge-sheet was filed in the same year, I direct the Learned Judicial Magistrate, 7th Court, Asansol to fix at least one date in every 45 days, so that the trial of the case can be taken to its logical conclusion within a reasonable period of time.

The Learned Trial Court would ensure regarding the presence of the accused persons. If, his order is defied, the Superior Officer of the Police should be informed for taking them into task and, if required, the order of bail be interfered with by the Learned Judicial Magistrate.

There must be compliance of this order in letter and spirit for the next date, i.e. 26th of December, 2023 when the Learned Magistrate would ensure the framing of charges.

With the above observations, CRR 2606 of 2023 is disposed of. Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order, duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)