

**20.07.2023**  
**Serial no. 5**  
[G.S.D]

## **CRR 2608 of 2023**

**In the matter of : Mrs. Ann K. Augustine**

... .. Petitioner

*Mr. Anirban Ghosh*

... .. For the Petitioner

Learned Advocate appearing for the petitioner has prayed for expeditious trial of the proceedings arising out of Shibpur P.S. Case No. 232 of 2000 dated 20.11.2020; Jagacha P.S. Case No. 116 of 2000 dated 20.11.2000 and, Jagacha P.S. Case No. 115 of 2000 dated 20.11.2000.

Learned Advocate appearing for the petitioner does not press the prayers advanced in respect of Jagacha P.S. Case No. 116 of 2000 dated 20.11.2000 and Jagacha P.S. Case No. 115 of 2000 dated 20.11.2000 but, prays for liberty to file afresh in respect of Shibpur P.S. Case No. 232 of 2000 dated 20.11.2000.

The record reflects that Shibpur P.S. Case No. 232 of 2000 was registered under Section 143/341/323/427 of the I.P.C. The case is of the year 2000. The proceedings are pending before the Learned Judicial Magistrate, 4<sup>th</sup> Court, Howrah.

So far as the present case is concerned, it has been informed that the case is fixed for evidence.

In view of the delay which has occasioned in respect of the present proceeding, the Learned Trial Court is directed to fix at least one date in a week so that the evidence of the case can progress.

As the majority of the witnesses are to be examined, the Learned Magistrate is directed to insist on physical appearance of all the accused persons. If the accused persons are adamant for defying the order of the Learned Magistrate, the Learned Magistrate would impose stringent conditions for ensuring appearance of all the accused persons in Court.

Witnesses, if they are reluctant to appear before the Court, in that case, the Learned Magistrate would be at liberty to seek assistance from the superior officer of the Police, who is in charge of Shibpur Police Station, so that the witnesses or the accused persons appear before the Court on the date so fixed by the Learned Trial Court.

Let such schedule continue till the disposal of the trial. For the time being, efforts be taken to conclude the trial as early as possible without granting any unnecessary adjournment(s) to any of the parties.

With the aforesaid observations, CRR 2608 of 2023 is disposed of. Pending application, 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.)**