

**20.07.2023**  
**Serial no. 24**  
[G.S.D]

### **CRR 2627 of 2023**

In Re: An application under Section 483 of the Code of Criminal Procedure in G.R. No. 670 of 2017 corresponding to Burrabazar P.S. Case No. 153 dated 07.04.2017 under Sections 448, 114 and 188 of the Indian Penal Code.

#### **In the matter of : Shakuntala Mukherjee**

... .. Petitioner

*Mr. Imtiaz Ahmed*  
Mr. Ghazala Firdaus  
Ms. Sharmila Mukherjee  
Mr. Gaurav Mukherjee

... For the Petitioner

Mr. Saswata Gopal Mukherjee  
Ms. Anusuya Sinha

... for the State

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

The anxiety expressed by the Learned Advocate appearing for the petitioner is that the present case was initiated in the year 2017 under Sections 448, 114 and 188 of the Indian Penal Code and the same is still continuing without the trial substantially progressing before the Learned Metropolitan Magistrate, 16<sup>th</sup> Court, Calcutta.

The present petitioner is described in the complaint as a receiver in respect of the suit premises which is one of

the subject-matter of the F.I.R. and the subsequent charge-sheet.

As such, Learned Advocate representing the petitioner submits that unnecessarily for discharging official duties, the petitioner is being harassed pursuant to the institution of the present case.

The prayer so advanced on behalf of the petitioner is innocuous. It has been informed that the charge in this case was framed in the year 2019 and till date even the evidence of a single witness has not been completed and the prosecution in order to prove its case is relying upon the four witnesses.

It has also been informed that the next date has been fixed in September, 2023.

Having considered the plight as expressed on behalf of the petitioner, I direct that on and from 18<sup>th</sup> September, 2023, once in every twenty days, a date should be fixed for the purpose of the present case. Efforts be taken so that the examination and the cross-examination of each witnesses do not exceed three days.

The Learned Public Prosecutor would be duty bound to provide the materials, exhibits and documents on the date so fixed for the examination of the witnesses and no unnecessary adjournment will be granted to either of the parties and in spite of any resolution taken by the local bar,

the trial of the case should be continued on the date so fixed.

All efforts be taken to conclude the trial at the earliest by all the stake-holders responsible for the trial of the case.

With the above observations, CRR 2627 of 2023 is disposed of.

Pending application(s), if any, is also disposed of.

Parties to act on the 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.)**