

CRR 2645 of 2023

In re : An application under Section 482 of the Code of Criminal Procedure, 1973.

In the matter of : **Mojibar Mondal @ Mojibur Mondal**
..... petitioner

Mr. Arnab Chatterjee
Ms. Poulami Bose

.... For the petitioner

Mr. Saswata Gopal Mukherjee, Ld. PP
Ms. Ratna Ghosh

.... For the State

The petitioner is directed to serve a copy of the revisional application upon Ms. Ratna Ghosh, learned advocate, who ordinarily appears for the State. Her appointment may be regularised by the concerned authorities.

The learned advocate appearing for the petitioner is anxious regarding the factum that the petitioner is in custody since 3rd March, 2022 and till date, the charge has not been framed in connection with the said case.

The learned advocate further submits that the chargesheet was filed on 24th August, 2022 and in the chargesheet, the prosecution has relied upon 10 witnesses, out of whom 8 witnesses belong to the police department.

Having considered the issues canvassed by the petitioner, I am of the view that the plight so expressed is genuine. Accordingly, I direct that as the petitioner is in custody for about 15 months and the learned trial Court is yet to consider the charges, under the circumstances, the trial Court is directed to frame the charges on 9th August, 2023 or within a week from the

date so fixed. Thereafter, the trial Court would fix schedule consisting of three days, and on each and every 45 days, the schedule should be fixed, so that the trial can be taken to its logical conclusion without granting unnecessary adjournment to any of the parties.

The learned Public Prosecutor is directed to produce the materials on the date of examination of the witness.

In case, any witness is associated with the police department, notice should be issued to the Superintendent of Police/Commissioner of Police concerned who would take steps for ensuring the appearance of the witness.

All stakeholders would cooperate with the trial court so that the trial is concluded at the earliest.

With the aforesaid observations, the revisional application being CRR 2645 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned parties shall act on the serve 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 with all requisition formalities.

(Tirthankar Ghosh, J.)