

24.07.2023

Item No.37
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 2666 of 2023

In the matter of : **Safiul Sk.** ... Petitioner.

Ms. Shabana Hasin,
Mr. Mobaidur Hossain ... For the Petitioner.

Mr. Tanmay Kumar Ghosh,
Mr. Mirza Firoj Ahmed Begg ... For the State.

Learned advocate appearing for the petitioner is directed to serve a copy of this revisional application upon Mr. Mirza Firoj Ahmed Begg, learned advocate, who ordinarily appears for the State. His appointment may be regularised by the concerned authorities.

Learned advocate appearing for the petitioner submits that the petitioner is in custody since 23.02.2022 and till date only charges have been framed and there has been no progress in the trial.

I find from the ordersheets that the learned trial court has already framed charges, but is unable to fix schedule as two of the other accused persons who are on bail are not attending the court. The learned trial court has fixed the next date on 03.08.2023. If on 03.08.2023, the same position continues and the petitioner who is in custody is suffering for the accused persons who are on bail are not appearing in court and cooperating with the progress of the trial of the case, I direct that the learned trial court would be at liberty to impose stringent conditions in respect of the accused persons who are on bail irrespective of any order passed by any court.

The learned trial court on and from 03.08.2023 would fix at least a schedule consisting of three dates and once in

every 45 days fix such schedule so that there may be progress in the trial of the case. No unnecessary adjournment henceforth should be granted to either of the parties and in case, any witness is absent without any substantial cause, the learned trial court would be at liberty to inform the concerned Superintendent of Police for ensuring the appearance of the witnesses.

Learned public prosecutor conducting the case would ensure regarding the production of materials, documents and exhibits on the dates so fixed for examination of the witnesses.

All stakeholders should cooperate with the learned trial court to conclude the trial at the earliest as the petitioner who is in custody should not unnecessarily apprehend the factum of languishing in jail.

With the aforesaid observations, the revisional application being CRR 2666 of 2023 is disposed of.

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

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)