

10-08-2023
Subha
Item no. 30
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 2852 of 2023

Giyasuddin Moral
-versus-
State of West Bengal

Mr. Angshuman Chakraborty
Mr. S. S. Saha
....for the petitioner.

Mr. S. G. Mukherji, Id PP
Mr. Manoranjan Mahata
...for the State.

Petitioner is directed to serve a copy of the revisional application upon Mr. Manoranjan Mahata, learned advocate who ordinarily appears on behalf of the State. His appointment may be regularized by the concerned Authorities in due course.

The petitioner has been implicated in connection with a case under the provisions of Foreigners Act as well as the NDPS Act.

The grievance of the present petitioner is that three accused persons have been discharged in the chargesheet for which a notice has been issued upon the de facto complainant who happens to be the BSF personnel and because of the BSF personnel/de facto complainant not appearing in court, seven dates have been fixed and there has been no progress in the case for the said reason.

Having regard to the plight expressed by the petitioner who is in custody since 23rd June, 2022, I direct the Superintendent of Police, Bongaon Police District to communicate with the

Commandant of the BSF who would communicate regarding the steps which the BSF intends to take before the learned trial court as there has been discharge of three accused persons in this case. The whole process must be completed between the Superintendent of Police of Bongaon Police District and the BSF within a period of thirty days from the date of communication of this order to the Superintendent of Police, Bongaon Police District. The learned trial court would in the circumstances after receiving the representation from the BSF Authorities within a month from the said date take the next course of action for the proceedings. All efforts must be taken so that the whole process as to whether further investigation is required or not must be completed by 1st December, 2023.

With the aforesaid observations, the present revisional application being CRR 2852 of 2023 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]

