

D/L27
11.08.2023
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C.R.R.2898 of 2023

In Re: An application under Section 482 of the Code of Criminal Procedure;

Karimul Sk @ Karim
Versus
The State of West Bengal

Mr. Arup Kumar Bhowmick.
...for the petitioner.

Mr. Arijit Ganguly
Mr. Kaushik Kundu.
...for the State.

Petitioner is directed to serve a copy of the revisional application upon Mr. Arijit Ganguly, learned advocate, who ordinarily appears on behalf of 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 2nd September, 2021 and the Investigating Agency on conclusion of investigation submitted charge-sheet before the jurisdictional court. Consequently, charges were framed on 12th August, 2022.

It has been submitted that the prosecution has relied upon 13 witnesses to prove its case, but till date, one witness has been examined in part.

Having regard to the fact that the petitioner is in custody for about 23 months, I am of the opinion that the anxiety expressed by the petitioner is justified. Learned special court is directed to fix schedule consisting of three dates and fix such schedule once in

every 60 days so that the trial of the case can be taken to its logical conclusion within a reasonable period of time. In case, any witness is reluctant to appear, learned special court will immediately direct the Superintendent of Police of the concerned district who would take steps for ensuring the presence of the witness before the court on the date so fixed. The public prosecutor conducting the case would produce the materials, exhibits and documents on the date fixed for examination of the witnesses' concerned. All stakeholders should co-operate with the learned trial court for concluding the trial at the earliest.

With the aforesaid observations, CRR 2898 of 2023 is disposed of.

Pending application, if any, is consequently disposed of.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)