

16.08.2023
Serial no. 36
[G.S.D]

CRR 2967 of 2023

In the matter of : Chapa Oraon

... .. Petitioner

Mr. Ayan Bhattachaerjee
Mr. Shounak Mondal
Mr. Suman Majumder

... For the Petitioner

The Learned Advocate for the petitioner prays for expeditious disposal of Special Case No. 11 of 2017 arising out of Bidhannagar South Police Station Case No. 109 of 2016 dated 09.07.2016.

The Learned Advocate has drawn the attention of the Court to the earlier direction passed in CRA (SB) 47 of 2023.

The contention of the petitioner is that although the Learned Trial Court has taken all efforts for complying with the direction passed by the Court, but the accused persons are delaying the trial.

I find from the order dated 18.7.2023 passed by the Learned Special Court that the Learned Special Court on 22nd August, 2023 has fixed date for cross-examination of P.W.1 and 23.08.2023 for evidence of other charge-sheeted witnesses.

The Learned Trial Court is directed to complete the examination of prosecution witnesses by 1st of October, 2023. No unnecessary adjournment be granted to either of the parties.

Needless to state that the said case was initiated in the year 2016 and more than seven years have passed.

The Learned Trial Court would also adhere to the provision of Section 309 of the Cr.P.C. particularly with regard to the provision that no adjournment shall be granted or no adjournment or postponement shall be granted except for special reasons to be recorded in writing and when a witness is present in Court but the party or the pleader is not present or the party or his pleader though present in Court but is not ready to examine or cross-examine the witness, the Court may if it thinks fit, record the statement of witness and pass such order as it thinks fit dispensing with the examination-in-chief or cross-examination of the witness.

With the aforesaid observations, CRR 2967 of 2023 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a 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.)