

D/L25
24.08.2023
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C.R.R.3086 of 2023

In Re: An application under Section 482 read with Section 401 of the
Code of Criminal Procedure, 1973;

Md. Rabiul Sk. @ Islam @ Rabbul @ Md.
Versus
The State of West Bengal

Ms. Shabana Hasin
Mr. Mobaidur Hossain.
...for the petitioner.

Mr. Madhusudan Sur
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 regularised by the concerned authorities.

Learned advocate appearing for the petitioner submits that the petitioner is in custody since 20th January, 2022, i.e for a period of 19 months. It has also been brought to the notice of this Court that after the conclusion of investigation, charge-sheet has been submitted before the jurisdictional court and the next date has been fixed on 13th October, 2023 for consideration of charges. The prosecution in order to prove its case has relied upon 15 witnesses.

I have considered the submissions advanced by the learned advocate appearing for the petitioner and having regard to the period already undergone by the petitioner, I direct the learned trial court to take utmost efforts so that the charges are framed on 13th October, 2023. In case the same is not possible on the date so

fixed at least by 19th October, 2023. Learned trial court thereafter would be at liberty to fix schedule consisting of three dates in the month of December, 2023. Learned trial court on and from December, 2023 would 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 not cooperating with the learned trial court and is reluctant to appear, learned special court would be at liberty to communicate with the Superintendent of Police of the concerned district who would take steps for ensuring the presence of the witnesses.

No unnecessary adjournment should be granted to either of the parties. The public prosecutor conducting the case should ensure regarding the production of the materials, exhibits and documents available on the dates so fixed for examination of the witnesses. All stakeholders should co-operate with the learned trial court so that the trial is concluded at the earliest.

With the aforesaid observations, CRR 3086 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.)

