

D/L10
25.08.2023
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C.R.R.3098 of 2023

In Re: An application under Section 482 read with Section 483 of the
Code of Criminal Procedure;

Rajendra Kumar Jayaswal @ Rajendra Kumar Jaiswal
Versus
The State of West Bengal and another

Mr. Dipta Dipak Banerjee.
...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld.P.P.
Mr. Pravas Bhattacharya
Mr. M.F.A. Begg.
...for the State.

Petitioner is directed to serve a copy of the revisional application upon Mr. Pravas Bhattacharya, 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 case was initiated in the year 2009 and after framing of charge till date in the last 14 years the examination of one of the witness has been over and the examination of the second witness is in progress. Learned advocate further submits that the prosecution in this case in the charge-sheet has relied upon six witnesses. It has also been informed before this Court that the next date has been fixed on 12th October, 2023.

Having considered the agony faced by the petitioner for the last 14 years, I direct the learned Metropolitan Magistrate, 5th Court, Calcutta to fix at least one date in a month on and from 12th October, 2023 so that the trial can be taken to its logical conclusion

within a reasonable period of time.

The Officer-in-Charge, Hare Street Police Station would act as Nodal Officer of the case so that in case any witness in spite of being served with notice is not appearing, he would submit a report before the learned trial court regarding the availability of the witness on the next date so fixed.

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 date so fixed for examination of the witnesses. All efforts be taken to conclude the trial at the earliest.

With the aforesaid observations, CRR 3098 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.)