

25-08-2023
Item no.16
Subrata
Bhattacharyya

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR No.3104 of 2023
Biplab Kumar Saha & Ors.
-vs-
The State of West Bengal

Mr. Debasis Kar ...for the petitioners

Mr. S.G. Mukherjee, PP
Mr. Pravash Bhattacharya
Mr. Mirza Firoj Ahmed Begg ... for the State

The petitioners are directed to cause service of a copy of the instant revisional application upon learned advocate Mr Mirza Firoj Ahmed Begg, who usually represents the State. His appearance may be regularised by the concerned authority.

The petitioners are aggrieved by the fact that a case was instituted against them in the year 2018 and though charge was framed in that case on December 5, 2018, but no witness has been examined so far.

Learned advocate for the petitioners submits that several dates and schedule have been fixed by the learned Judicial Magistrate, 2nd Court, Barrackpore, but that no witness even turned up in support of the prosecution case for progress in the trial of the case. According to learned advocate, the petitioners being accused in the case for the last five years have been suffering from mental pain and agony.

In view of the manner in which the trial of the case is in progress, I direct that the inspector-in-charge of Noapara police station will act as a nodal officer of this case. The learned trial court would immediately communicate with the inspector-in-charge of Noapara police station, in case the witness is not present in court and the inspector-in-charge would take steps for ensuring the presence of the witness concerned.

The next date, I am told, is March 1, 2024. Hence I also direct that the learned trial court would, after 1st March 2024, fix at least one date in a month so that the trial of the instant case can be taken to its logical conclusion within a reasonable period of time.

It has been informed that there are six witnesses in the instant case. Efforts be taken so that examination of all the six witnesses are completed within a span of 15 days fixed by the learned trial court. The Public Prosecutor conducting the case shall produce the materials, exhibits and documents on the date so fixed for examination of the witnesses concerned.

With the observations as above, CRR No.3104 of 2023 stands disposed of.

Pending application, if any, is also stands disposed of.

Parties are to act on the server copy of this order duly downloaded from the official website of this court.

Certified copy of this order, if applied for, shall be made available to the parties.

[Tirthankar Ghosh, J]

