

D/L20
03.02.2023
Bpg.

C.R.R. 3363 of 2022

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

Binod Tiwari
Versus
The State of West Bengal

Mr. Arunava Ganguly.
...for the petitioner.

Mr. Rudradipta Nandy,
Mr. Md. Anwar Hossain.
...for the State.

Reports submitted by the Director General of Police, West Bengal, Additional Director General of Police (Law and Order), West Bengal and the Commissioner of Police, Kolkata reflects that steps have been taken for maintaining the register at the office of the Superintendent of Police as also in case of Calcutta by the concerned Officer-in-Charge. Thus, from the reports, it is clear that the availability of the witness in a particular case in a district would be available in the register maintained by the said offices.

Henceforth, the special courts who are in-charge of NDPS cases and POCSO cases would in the absence of any witness on a particular date, if it is dissatisfied with the reasons or ground so assigned, directly communicate with the office of the S.P. in case of district and office of the Commissioner of Police, Calcutta or in case of any city, the Police Commissionerate and show-cause if for unknown/vague reasons the witness is not available.

The special courts would be at liberty to exhaust their

powers in case there is no answer received from the concerned SP Office or the Police Commissionerate concerned. The orders passed in this revisional application dated 25.11.2022, 16.01.2023 and today's order. ie. 03.02.2023 be communicated to all the special courts dealing with NDPS cases and POCSO cases by the Registrar General, High Court, Calcutta.

Mr. Nandy, learned advocate appearing for the State will take steps so that this order is communicated to the office of all the Superintendent of Police and all the Police Commissionerate of West Bengal so that there should not be any casual approach in maintenance of the register which has been specified in the reports submitted by the three senior police officers of West Bengal.

With the aforesaid observations, CRR 3363 of 2022 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.)