

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 3422 of 2022

Sanjeeb Kumar Dawn

-Vs-

The State of West Bengal & Ors.

For the Petitioner: Mr. Pawan Kumar Gupta, Adv;
Mr. Sofia Nesar, Adv;
Mr. Santanu Sett, Adv.

For the State: Mr. Dipankar Paramanick, Adv.

Heard on: 15th March, 2023.

Judgment on: 15th March, 2023.

BIBEK CHAUDHURI, J. : –

1. This is an application for expeditious disposal of B.G.R. Case No. 3436 of 2015 arising out of Bishnupur Police Station Case No. 790 of 2015 dated 7th July, 2015 under Section 120B/420/419/406/465/467/468/471 of the Indian Penal Code presently pending before the learned Additional Judicial Magistrate at Alipore.

2. On perusal of averment made in the instant revision and having heard the learned Advocate for the petitioner this Court is of the view that the instant revision can be disposed of here and now with the assistance

of the learned Advocate for the state. Accordingly, Mr. Dipankar Paramanick learned Advocate is requested to assist this Court on behalf of the state. Appointment of Mr. Dipankar Paramanick learned advocate be regularized by the learned Legal Remembrancer, Government of West Bengal.

3. It is submitted by the learned advocate for the petitioner that the case was initiated on the basis of a complaint against the opposite parties before Bishnupur Police Station case no. 790 of 2015 dated 7th July, 2015 under Section 120B/420/419/406/465/467/468/471 of the IPC. The opposite party nos. 2 and 3 moved an application for anticipatory bail which was rejected on 5th August, 2017 and opposite party no. 2 filed another anticipatory bail suppressing the earlier rejection before the Learned Sessions Court at Alipore which was allowed on 21st September, 2017. Petitioner challenged the said order and moved an application for cancellation of bail before this Court which was set aside by an order dated 18th January, 2018 directing custody of opposite party no. 2 till conclusion of trial. The opposite party no. 2 challenging the said order of conviction moved a SLP before the Apex Court which partly affirmed the order by giving liberty to prefer bail before the learned court below. The opposite party no. 2 was granted bail on 16th March, 2019 by the learned court below. After completion of investigation charge sheet was submitted being no. 672 of 2018 dated 31st August, 2018 against the opposite party no. 2 and 3. The learned Additional Chief Judicial Magistrate by an order dated 20th December, 2018 took cognizance of the chargesheet but till

date charge has not been framed. On every date the opposite parties file time petition and was allowed by the Learned Court without taking any appropriate step to ensure their attendance and frame charge.

4. Under such circumstances, petitioner has prayed for expeditious disposal of the case.

5. In view of the above factual position, it is premature to pass any order for expeditious disposal of B.G.R. Case No. 3436 of 2015. However, the Learned court below is directed to take positive steps to frame charge without giving further adjournments as expeditiously as possible.

6. With the above direction the instant revision is disposed of.

(Bibek Chaudhuri, J.)