

08-09-2023
Subha
Item no. 49
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 3356 of 2023

Babai Barai
-versus-
State of West Bengal

Mr. Angshuman Chaudhury
Mr. S. S. Saha
.....for the petitioner.

Mr. Md. Anwar Hossain
Mr. Mirza Firoj Ahmed
...for the State.

Petitioners are directed to serve a copy of the revisional application upon Mr. Mirza Firoj Ahmed Begg, learned advocate who ordinarily appears on behalf of the State. His appointment may be regularized by the concerned Authorities in due course.

Learned advocate for the petitioner is aggrieved by the fact that the petitioner is in custody since 3rd October, 2021 i.e., for more than 23 month, but till date none of the witnesses have been examined.

Learned advocate submits that charge was framed on 15th December, 2022 and in the chargesheet prosecution has cited 13 witnesses.

Having regard to the period of detention of the petitioner, I am of the opinion that the anxiety expressed by the petitioner is justified. Accordingly, the learned trial court is directed to fix a schedule consisting of three dates and such schedule be fixed once in every forty-five days so that the trial of the case can be taken to

its logical conclusion within a reasonable period of time.

In case, if any of the witnesses of the Department is not appearing or reluctant to appear, then in that case the Superintendent of Police would be communicated who would ensure the presence of the witnesses on the dates so fixed for evidence.

No unnecessary adjournments should be granted to either of the parties.

The Public Prosecutor appearing in the case would produce the materials, documents and exhibits on the dates fixed for examination of the witnesses concerned. All efforts be taken by the stake-holders to cooperate with the trial court so that the trial is concluded within a reasonable period of time.

With the aforesaid observations, the present revisional application being CRR 3356 of 2023 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]

