

Item-
5. 23-11-2023

Court-34
sg

C.R.R. 3370 of 2023

Debasish Kulia & Ors.
Versus
State of West Bengal & Anr.

Mr. Pinaki Adday, Adv.
Mr. Subha Pathak, Adv.
Mr. R. Dutta, Adv.

... for the petitioners

Mr. Madhusudan Sur, APP
Mr. Dipankar Paramanick, Adv.

...for the State

1. The present revisional application was preferred challenging the entire proceeding arising out of Bhupatinagar Police Station Case No. 87 of 2019 dated 27.07.2019 under Section 498/323/34 of the Indian Penal Code, which is presently pending before the learned Judicial Magistrate, Contai, Purba Medinipur.
2. Earlier direction was passed by this Court regarding the availability of the witnesses concerned and a report has been submitted before this Court which reflects that efforts have been taken for ensuring appearance of witnesses concerned. However, there is a comment of the learned Magistrate regarding the non-appearance of CSW-1 particularly with regard to the manner in which he was served. Witness warrant is pending. Unnecessary tension may not be created amongst the witnesses so that they are reluctant to appear before the learned Trial Court.
3. The SDPO, Contai, Purba Medinipur will act as a Nodal Officer. The concerned officer would check regarding the availability of the witnesses and ensure their appearance on the date so fixed before the learned Trial Court.
4. The petitioners have relied upon some medical documents to show that the complainant was suffering from depression. However, those are private and

personal documents which are to be adduced in evidence in accordance with the provision of law as the police papers under section 207 of the Cr.PC do not find any reflection, neither the petitioners are able to produce any document that such papers were produced before the investigating agency in course of investigation.

5. Petitioners would be at liberty to produced such documents in course of the trial at the appropriate stage. No interference is made in respect of this revisional application and the prayer so made.
6. Accordingly, CRR 3370 of 2023 is disposed of.
7. The learned Trial Court would take steps so that dates are fixed in every two months and the trial of the case is concluded within a reasonable period of time.
8. Report so submitted by the State in Court today is kept with the record.
9. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)