

13.09.2023

Item No.54

ss

C.R.R. 3398 of 2023

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

Salam Biswas alias Chalam Biswas

Vs.

The State of West Bengal

Mr. Angshuman Chakraboprtty

Mr. S. S. Saha

... for the petitioner

Mr. Provas Bhattacharya

Mr. M.F.A. Begg

... for the State

Learned Advocate appearing for the petitioner is directed to serve copy of this revisional application upon Mr. Provas Bhattacharya, learned Advocate, who ordinarily appears for the State. His appointment may be regularised by the concerned authorities.

Learned Advocate appearing on behalf of the petitioner submits that the petitioner was arrested and is in custody since 10th August, 2022. He submits that although charge was framed on 18th May, 2023, but till date, none of the witnesses has been examined. Prosecution in order to prove his case relied upon eight witnesses. The next date, as has been informed, is fixed on 29th September, 2023.

In view of the petitioner being in custody for more than a year and the trial is progressing smoothly, I direct that in case on 29th September, 2023 none of the witnesses appear before the trial court, the learned

Trial Court will communicate to the Superintendent of Police of the concerned district for ensuring the presence of the witnesses.

Records of the case speak that the learned trial Court has been fixing the schedule at fairly close intervals. The learned Trial Court would repeat the same as it deems fit and proper.

Learned Public Prosecutor conducting the case would ensure regarding the production of materials, documents and exhibits on the dates so fixed for examination of the witnesses.

All stakeholders would cooperate with the learned trial court to conclude the trial at the earliest.

With the aforesaid observations, the revisional application being CRR 3398 of 2023 is disposed of.

Pending connected 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 photostast certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)