

13.09.2023

Item No.75
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 3419 of 2023

In the matter of : **Sri Malay Baidya** ... Petitioner.

Mr. Tushar Kanti Mukherjee ... For the Petitioner.

Mr. Madhusudan Sur,
Mr. Dipankar Paramanick ... For the State.

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

Learned advocate appearing for the petitioner submits that the petitioner is suffering from acute illness (as has been informed i.e. Brain Tumor) and has prayed for expediting the progress of the case since the petitioner is in custody since 07.10.2022. The learned advocate submits that the prosecution in order to prove its case has relied upon six witnesses and although charge has been framed, but till date none of the witnesses has been examined and the next date is fixed by the learned trial court on 17.11.2023.

Having regard to the peculiar circumstances of this case, I direct the learned trial court to fix a schedule consisting of three dates and fix such schedule once in a month so that trial of the case can be concluded at the earliest. No unnecessary adjournment should be granted to either of the parties.

In case any witness is absent on the date so fixed, the learned trial court would communicate with the Superintendent of Police of the concerned district for ensuring the presence of the witnesses.

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.

The learned trial court in this particular case would at least prior to the schedule, call for a medical report from the jail authorities. In case the condition of the present petitioner deteriorates, the learned trial court would take steps for appropriate treatment of the present petitioner.

With the aforesaid observations, the revisional application being CRR 3419 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)