

D/L50
18.09.2023
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C.R.R.3534 of 2023

In Re: An application under Section 401 and 482 of the Code of Criminal Procedure, 1973;

Munshi Sahnawaz @ Dulal
Versus
The State of West Bengal and another

Mr. D. Deb
Mr. Pabitra Biswas.
...for the petitioner.

Liberty is granted to the petitioner to correct/amend the cause title.

Mr. Deb, learned advocate appearing for the petitioner submits that on 25th August, 2023 the defence witness could not appear as she had undergone operation and she was under post operative care. However, the learned trial court rejected the prayer for adjournment. The next date so fixed by the learned trial court is on 14th September, 2023.

It has been submitted by Mr. Deb that on 6th October, 2023 the next date has been fixed by the learned trial court for final argument of the case.

In case the argument has not commenced, petitioner be given one opportunity to adduce defence witness on 6th October, 2023. Learned trial court will thereafter not stretch the case in view of the fact that the case was initiated in the year 2007 and is for offences under Sections 302/304B of the Indian Penal Code. The witness will appear on 6th October, 2023. If such witness appears before the court, the examination and cross-examination of the said

witness be completed on the said date and the learned court would fix a convenient date for commencing the argument of the case as it has been undertaken that no other defence witness would be tendered by and on behalf of the petitioner.

A copy of the order may be in advance produced before the learned trial court and the public prosecutor of the case be informed regarding the steps to be taken on 6th October, 2023.

With the aforesaid observations, CRR 3534 of 2023 is disposed of.

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

(Tirthankar Ghosh, J.)