

18.09.2023
Serial no. 51
[G.S.D]

CRR 3535 of 2023

In the matter of : Debdut Nandi & Anr.

... .. Petitioners

Mr. Navanil De

Mr. R. Chakraborty
Mr. S. Ghosh
Ms. M. Mukherjee

... For the petitioners

Mr. Anowar Hossain
Ms. Manisha Sharma

... For the State

The petitioner is directed to serve a copy of this revisional application upon Mr. Anowar Hossain, Learned Advocate, who ordinarily appears on behalf of the State. His appearance may be regularised by the concerned authority.

The Supplementary Affidavit filed enclosing an application under Section 311 of the Cr.P.C., be kept with the record.

An application under Section 311 of the Cr.P.C. is cryptic. No specific question is available in the said application from where it will be transparent as to how the accused/defence has been prejudiced or because of lack of administration of the Learned Advocate conducting the trial, a specific question relating to direction could not be confronted to the witness.

It has been informed that the next date has been fixed on 1st of December, 2023 for examination of prosecution witness no.5.

The petitioner is granted liberty to take out an application under Section 311 of the Cr.P.C. as the same is for the ends of complete justice. In case, the petitioner is able to make out a case under Section 311 of the Cr.p.C., the Id. Trial Court will consider and dispose of the same in accordance with law.

With the aforesaid observations, CRR 3535 of 2023 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court at Calcutta.

(Tirthankar Ghosh, J.)