

10-10-2023
subha
Item no. 08
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 3590 of 2023

Abdul Aziz
-versus-
The State of West Bengal & Anr.

Ms. Paulomi Banerjee
Ms. Priyanka Dutta
....for the petitioner.

Mr. S. G. Mukherji, ld. PP
Mr. Imran Ali
Mrs. Debjani Sahu
...for the State.

Petitioner is directed to serve a copy of the revisional application upon Mrs. Debjani Sahu, learned advocate who ordinarily appears on behalf of the State. Her appointment may be regularized by the concerned Authorities in due course.

Learned advocate for the petitioner is aggrieved by the fact that the Bhadreswar Police Station Case No. 341 of 2013 was registered for investigation on 19th September, 2013. In connection with the said case police authorities on conclusion of investigation submitted chargesheet but till date only charge has been framed and none of the witnesses have been examined.

Learned advocate submits that out of seven witnesses cited by the prosecution in connection with the instant case three of the witnesses have already expired and the present petitioner is also suffering from ailment and the next date has been fixed by the learned trial court on 11th April, 2024.

Having regard to the manner in which the proceedings have

been pending for more than 10 years, I direct the learned Magistrate to fix at least one date in every forty-five days so that the trial of the case can be taken to its logical conclusion within a reasonable period of time. Learned Magistrate would ensure that once a witness comes he should not be returned without being examined. The manner in which the proceedings have continued itself reflects that there was an attempt to frustrate the proceedings and in fact with passage of time three of the witnesses have expired.

The public prosecutor conducting the case would ensure regarding the production of the witnesses on the date so fixed as also the materials, documents and exhibits which would be required for the purposes of the case.

The Deputy Commissioner of Police in charge of Bhadreswar Police Station will act as Nodal Officer of this case and would also ensure on and from 11th April, 2024 as and when dates are fixed by the learned trial court arrangements must be made for ensuring regarding the witnesses being present.

With the aforesaid observations, the present revisional application being CRR 3590 of 2023 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

[Tirthankar Ghosh, J]