

10.10.2023

Item No.29
Ct.No.34
dc.

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

C.R.R. 3611 of 2023

In the matter of : **Barun Kumar Saha** ... Petitioner.

Mr. Koustav Bagchi,
Mr. Debayan Ghosh,
Ms. Priti Kar ... For the Petitioner.

Mr. Tanmay Kumar Ghosh,
Ms. Sujata Das ... For the State.

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

The petitioner is the *de facto* complainant who is facing the agony of the trial not progressing. It has been pointed out that there has been no progress since the charge-sheet was submitted in the year 2021.

I have perused the ordersheets and I find that since December 2021, it is the in-charge Judicial Magistrate who is looking after the day-to-day proceedings of the Judicial Magistrate, 2nd Court, Serampore. Having considered the anxiety expressed by the petitioner, I direct the learned Additional Chief Judicial Magistrate, Serampore to withdraw the records of Serampore Police Station Case No. 324 of 2021 dated 25.08.2021 to his own file and issue notice upon the accused persons for appearance.

The learned Additional Chief Judicial Magistrate, Serampore would try the case himself. Dates be fixed preferably in the month of January 2024 for consideration of charges. If after considering the charges, the learned Additional Chief Judicial Magistrate is of the opinion that trial of the case should proceed, in that case the learned trial court would fix one date in every 45 days so that trial of the case can be taken to its logical conclusion within a reasonable period of time. No unnecessary adjournment should be granted to either of the parties.

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 Additional Chief Judicial Magistrate to conclude the trial at the earliest.

With the aforesaid observations, the revisional application being CRR 3611 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.)