

D/L77
11.10.2023
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C.R.R.3681 of 2023

In Re: An application under Section 482 of the Code of Criminal Procedure;

Siraj Lutfar Rahaman
Versus
State of West Bengal and another

Mr. Mritunjay Chatterjee
Mr. Sk. Nizamuddin
Ms. Barnali Gupta.
...for the petitioner.

Mr. Tanmay Kumar Ghosh
Mr. M.F.A. Begg.
...for the State.

Petitioner is directed to serve a copy of the revisional application upon Mr. Tanmay Kumar Ghosh, learned advocate, who ordinarily appears on behalf of the State. His appointment may be regularised by the concerned authorities.

Mr. Chatterjee, learned advocate appearing for the petitioner submits that in the present case charge-sheet has been submitted in the year 2022. However, till date, charge has not been framed and the prosecution in order to prove its case has relied upon 8 witnesses.

Having regard to the contentions so advanced by the petitioner, I direct the learned Judicial Magistrate, 2nd Court, Hooghly to overcome the stage of consideration of charges on the next date so fixed or within a month thereafter. Learned trial court would thereafter if it is of the opinion that the charges should be framed proceed with the trial of the case by fixing at least one date

in every two months so that the trial of the case can be taken to its logical conclusion within a reasonable period of time. In case the learned trial court finds that a particular witness is not appearing, learned trial court would communicate with the Inspector-in-Charge of Pandua Police Station who would ensure regarding the presence of the witness on the date so fixed. The public prosecutor conducting the case should ensure regarding the production of the materials, exhibits and documents available on the dates so fixed for examination of the witnesses. All stakeholders would co-operate with the learned trial court so that the trial is concluded at the earliest.

With the aforesaid observations, CRR 3681 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.)