

D/L98
12.10.2023
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C.R.R.3733 of 2023

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

Aftabuddin @ Md. Aftabuddin Sarkar and another
Versus
The State of West Bengal

Mr. Jisan Hossain
Ms. Chandrima Debnath.
...for the petitioners.

Mr. Tanmoy Kr. Ghosh
Ms. Sujata Das.
...for the State.

Petitioners are directed to serve a copy of the revisional application upon Ms. Sujata Das, learned advocate, who ordinarily appears on behalf of the State. Her appearance may be regularised by the concerned authorities.

Learned advocate appearing for the petitioners submits that the petitioners are in custody since 3rd August, 2021 and more than 25 months have passed since the petitioners are in custody. It has also been contended that charge was framed on 31st March, 2023 and the next date is fixed on 17th October, 2023 for examination of the witnesses. It has also been pointed out that the prosecution in order to prove its case has relied upon 14 witnesses.

Having considered that the petitioners are in custody for more than 25 months, I direct the learned trial court to fix a schedule consisting of three dates and such schedule must be fixed once in every 45 days so that the 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. In case any witness is not cooperating with the learned trial court and is reluctant to appear, learned special court would be at liberty to communicate with the Superintendent of Police of the concerned district who would take steps for ensuring the presence of the witnesses. The public prosecutor conducting the case would 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 3733 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.)