

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

CRR 3970 of 2022

**Ashim Das
Vs.
The State of West Bengal**

Mr. Imtiaz Ahmed
Ms. Ghazala Firdaus
Mr. Mofakkerul Islam
Mr. Sk. Saidullah
Mr. Mithun Mondal
Mr. Shibasish Banerjee
...for the petitioner

Mr. Sandip Chakraborty
...for the State

Item No. 07.

Heard & Judgment on: 02.01.2023

Bibek Chaudhuri, J.

Though the petitioner has filed the instant criminal revision for quashing of the proceeding being S.C. Case No.155 of 2016 arising out of Jagaddal Police Station Case No. 521 of 2013 dated 21st June, 2013 and consequent charge sheet No. 262 of 2014 dated 31st March, 2014 under Sections 341/325/307/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act and 3 and 4 of the Explosive Substances Act, 1908, it is fairly submitted by Mr. Ahmed, learned advocate for the petitioner that the trial Court passed an order on 21st June, 2022 issuing warrant of arrest against two accused persons out of seven accused persons. The case is of 2013. Charge sheet has been submitted in the year 2014. Till date charge has not been framed. The accused persons who have submitted to the jurisdiction of the learned trial judge do not get scope to place their defence in connection with the said case.

On perusal of the materials on record, this Court also finds that there is unnecessary procrastination of the trial of the case. In my view the instant revision can be disposed of with the assistance of the learned Public Prosecutor-in-charge. Mr. Sandip Chakraborty, learned P.P.-in-charge is requested to assist this Court.

Having heard Mr. Ahmed, learned advocate for the petitioner and the learned P.P.-in-charge on behalf of the State of West Bengal, this Court disposed of the instant revision directing the learned Additional Sessions Judge, Fast Track, Second Court at Barrackpore to split up the record of the above mentioned Sessions Case in respect of the two accused persons against whom warrant of arrest is still pending. The learned trial Judge is also directed to fix a date within three months from the date of communication of this order for consideration of the charge.

If on consideration, charge is framed against the accused persons, he shall proceed with the trial of the case against the five accused persons who are present before the learned trial Judge.

The accused persons against whom warrant of arrest is pending may be joined after their arrest/surrender/appearance in the trial Court.

The instant revision is, thus, disposed of.

(Bibek Chaudhuri, J.)