

04.12.2023
Serial no. 2
[G.S.D]

CRR 3882 of 2023

In the matter of : Jinarul Molla

... .. Petitioner

Mr. Snehasish Ghosh
Ms. Chandrima Debnath
Mr. Jisan Hossain

... for the Petitioner

Md. Rafiqul Islam

... for the State

Ld. advocate for the petitioner submits that the petitioner is in custody since 9th of July, 2021 and, till date, out of thirteen witnesses so relied upon by the prosecution, only two witnesses have been examined.

Having considered the period of detention which is 28 months, I am of the view that the agony so expressed by the petitioner is justified.

Accordingly, the Id. Special Court is directed to fix at least a schedule consisting of three dates and fix such schedule once in a month for the trial of the present case. It has been informed that the witnesses are not cooperating.

In such circumstances, the Id. Special Court is directed to inform the Superintendent of Police of concerned district, who would ensure regarding the appearance of the witnesses concerned on the date so fixed. If any witness is

not appearing, the reason be submitted through a report before the Id. Special Court. The Id. Special Court will assess the grounds of adjournment and after giving two opportunities would be at liberty to impose cost upon the concerned officer for not cooperating with the progress of the case. No unnecessary adjournment be granted to either of the parties. The Id. Public Prosecutor conducting the case will produce the materials, exhibits and documents on the date so fixed for examination of the witnesses. All stakeholders are directed to cooperate with the Id. trial court so that the trial of the case is concluded at the earliest.

With the aforesaid observations, CRR 3882 of 2023 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court at Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)