

30-11-2023
Subha
Item no. 16
Ct no.34

*IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction*

CRR 4065 of 2023

Raghunath Karmakar
-versus-
The State of West Bengal

Mr. Anghsuman Chakraborty
Mr. S. S. Saha
.....for the petitioner.

Mr. Debasish Roy, ld. PP
..for the State.

Affidavit of service so filed be kept with the record.

Mr. Chakraborty, learned advocate appearing on behalf of the petitioner submits that although the chargesheet was submitted on September, 2022, but till date charges have not been framed. The next date has been fixed, according to the learned advocate, on December, 2024.

Learned advocate is aggrieved by such manner of progress before the trial court in view of the proceedings being under Section 498A of the Indian Penal Code. It has been pointed out that the prosecution has relied upon 11 witnesses to prove its case and if a date is fixed once in a year then there will be no scope in progress in the case.

Having regard to the manner in which the date has been fixed, I am of the view that the learned Additional Chief Judicial Magistrate, Barasat should have taken care of the factum that from the month of October 2023 date is being fixed on December, 2024

for the purposes of consideration of charges. This is to the dissatisfaction of the court. In view of the date already being fixed, I direct the learned trial court to conclude the process of consideration of charges by 31st December, 2024. Thereafter, the learned trial court would fix one date in every month so that the trial of the case can be concluded at the earliest.

In case any witness is reluctant to appear, the Inspector-in-Charge/Officer-in-Charge of the Deganga Police Station would be communicated who would take steps for ensuring regarding the availability of the witness concerned and would submit a report in case the witness is not traced or is not ready to support the prosecution case.

The Public Prosecutor conducting the case will produce the materials, documents and exhibits on the dates so fixed.

All stake-holders would cooperate with the learned trial court so that the trial is taken to its logical conclusion within a reasonable period of time.

With the aforesaid observations, the revisional application being CRR 4065 of 2023 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]

