

D/L105
08.02.2023
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C.R.R.4238 of 2022

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

Gurupada Mandal
Versus
The State of West Bengal

Mr. Arup Kumar Bhowmick.
...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld.P.P.,
Mr. Koushik Kundu.
...for the State.

Learned advocate for the petitioner is anxious regarding the fate that the petitioner is in custody since 15th December, 2021 and till date only a part of PW.1 has been examined.

Petitioner is directed to hand over a copy of the revisional application upon the learned Public Prosecutor, High Court, Calcutta.

There are 14 witnesses as has been pointed out by the learned advocate appearing for the petitioner, but even after more than 25 months only a part of PW.1 has been examined. The said witness happens to be S.I. of police under Kaliachak P.S. as is evident from the examination-in-chief.

In view of the directions passed in CRR 3363 of 2022, liberty is granted to the learned special court to show cause the office of the Superintendent of Police for non-appearance of any witness belonging to the police department. Assistance of the said office must be taken so that the witness appears on the date so fixed. No unnecessary adjournment should be granted to any of the

parties to the case. State is directed to produce the materials or any other materials which they intend to be admitted in evidence on the date so fixed by the learned trial court. No unnecessary adjournment should be granted on the ground that the said materials were not available in court when the witness was being examined. All efforts must be taken to conclude the trial at the earliest.

With the aforesaid observations, CRR 4238 of 2022 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.)