

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 4251 of 2022

Prince Singh
-Vs-

The State of West Bengal

For the Petitioner: Mr. Anirban Duta, Adv.,
 Mr. Abir Charkraborty, Adv.

For the State: Mr. Mainak Gupta, Adv.,

Heard on: 17 January, 2023.

Judgment on: 17 January, 2023.

BIBEK CHAUDHURI, J. : –

1. This is an application for a direction upon the trial court to expedite hearing of Sessions Case No.20 of 2020 and corresponding to Sessions Trial No.1(01)/21 arising out of Nimta Police Station Case No.429/19 dated 17th October, 2019 under Sections 302/201/120B of the IPC read with Section 25/27 of the Arms Act.

2. The petitioner in custody is an accused in connection with the above mentioned case. He was arrested by the Investigating Officer on 19th October, 2019.

3. It is the case of the prosecution that on 8th October, 2019 at about 2.30 am, a person was found in a private vehicle in senseless condition

with profuse bleeding. The said person was later identified as one Debanjan Das. He was taken to hospital and was declared as brought dead. Post-mortem report of the deceased suggested that he died receiving gunshot injury which was ante-mortem in nature.

4. It is stated by the petitioner that in the aforesaid case charge was framed against the accused/petitioner and co-accused persons on 8th January, 2021 under Sections 302/201/120B/34 of the IPC read with Sections 25/27 of the Arms Act. It is further submitted on behalf of the petitioner that after framing of charge till 15th September, 2022 out of total 42 charge-sheeted witnesses only 13 witnesses were examined. The petitioner is languishing in jail during the entire period of trial. Therefore, the petitioner has prayed for expeditious disposal of the above mentioned case pending in the court of the learned Additional Sessions Judge, Fast track, 4th Court at Barrackpore.

5. I have heard the learned Advocate for the petitioner. It is a matter of record that charge was framed against the petitioner and other accused persons on 8th January, 2021. The said charge was modified vide order dated 18th January, 2021. During last two years after framing of charge prosecution was able to examine only 13 witnesses.

6. Progress of trial of the case is not at all satisfactory. Therefore, learned trial judge is directed to take expeditious step to examine the remaining witnesses in one schedule as provided in Section 309 of the Cr.P.C. He shall take serious endeavour to examine the remaining

witnesses within eight months from the date of communication of the order.

7. The instant revision is accordingly disposed of.

8. The petitioner is at liberty to act on the upon the server copy of the order.

(Bibek Chaudhuri, J.)