

D/L332
28.11.2023
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C.R.R.4324 of 2023

In Re: An application under Section 482 read with Section 483 of the
Code of Criminal Procedure;

Babor Ali Mondal and another
Versus
The State of West Bengal

Mr. Navanil De
Mr. Rajeshwar Chakraborty
Mr. Srinjan Ghosh
Mr. Subhrajit Dey
Ms. Monami Mukherjee.
...for the petitioners.
Ms. Puspita Saha.
...for the State.

Learned advocate for the petitioners submits that the petitioners were arrested on March 28, 2023 and since then they are in custody. The Investigating Agency on conclusion of investigation submitted charge-sheet. However, the experts' report are yet to be submitted before the jurisdictional court and the next date has been fixed on 13th February, 2024. Till now the charge-sheet reflects that 13 witnesses are to be examined.

Petitioners are directed to serve a copy of the revisional application upon Ms. Puspita Saha, learned advocate, who ordinarily appears on behalf of the State. Her appearance may be regularised by the concerned authorities.

Learned advocate for the State would seek necessary instructions so that by 31st January, 2024 the experts' reports are laid before the learned Special Court so that the learned Special Court on 13th February, 2024 would be in a position to hand over all the relevant documents to the petitioners. The learned Special

Court would thereafter fix date for consideration of charges within one month of supply of the copies to the accused persons. Thereafter, if the learned court feels that the trial of the case is required to be proceeded with in that case a schedule be fixed consisting of three dates and such schedule be fixed once in every 75 days so that the trial of the case can be taken to its logical conclusion within a reasonable period of time.

No unnecessary adjournment should be granted to either of the parties. In case any witness is reluctant to appear, the concerned Superintendent of Police would be informed so that the appearance of the witnesses before the court is ensured. The public prosecutor conducting the case should ensure regarding the production of the materials, exhibits and documents available on the dates so fixed for examination of the witnesses. All stakeholders should co-operate with the learned trial court so that the trial is concluded at the earliest.

With the aforesaid observations, CRR 4324 of 2023 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.)

