

04-12-2023
Subha
Item no. 334
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 4513 of 2023

Dr Saptarshi Banerjee
-versus-
State of West Bengal

Mr. Sabyasachi Chatterjee
Mr. Omar Faruk Gazi
Mr. Badrul Karim

.....for the petitioner.

Mr. Sanjib Kumar Dan

...for the State.

Petitioner is directed to serve a copy of the revisional application upon Mr. Sanjib Kuamr Dan, learned advocate who usually appears on behalf of the State. His appearance may be regularized by the concerned authorities in due course.

Learned advocate for the petitioner is aggrieved by the fact that the case was instituted in the year 2019 and till date after framing of charge none of the witnesses have been examined.

It has been submitted that the next date is fixed on 26th February, 2024 for examination of the victim.

Be that as it may, having considered that more than four years have expired since the initiation of the case, learned special court would ensure also regarding the plight of the accused who happens to be the father of the victim. As such, learned trial court would fix a schedule consisting of three dates and fix such schedule once in every two months so that the trial of the case can be taken to its logical conclusion within a reasonable period of time.

No unnecessary adjournments should be granted to either of the parties.

The learned special court would also take steps by engaging an officer who would be able to understand the psychology as to why the victim is not appearing before the court for evidence. A report may be submitted by the concerned Officer who has been engaged by the learned trial court.

As directed above, the learned trial court would fix schedule accordingly and take the case to a logical conclusion within a reasonable period of time.

In case the assistance of the police authorities are required for execution, the same may be done through the concerned officer of Behala Police Station.

The Public Prosecutor appearing in the case would produce the materials, documents and exhibits on the dates fixed for examination of the witnesses concerned.

All efforts be taken by the stake-holders to cooperate with the trial court so that the trial is concluded within a reasonable period of time.

With the aforesaid observations, the present revisional application being CRR 4513 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]

