

11-12-2023
Subha
Item no. 269
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 4567 of 2023

Arindam Majumder and Ors.

-versus-

State of West Bengal

Ms. Suchismita Dutta
Mr. Soumyajit Chatterjee
.....for the petitioners.

Mrs. Ratna Ghosh
...for the State.

Petitioners are directed to serve a copy of the revisional application upon Mrs. Ratna Ghosh, learned advocate who usually appears on behalf of the State. Her appearance may be regularized by the concerned authorities in due course.

Learned advocate for the petitioners submits that Belgharia P. S Case No. 182 of 2018 dated 14-03-2018 under Sections 498A/323/504/506/120B of the Indian Penal Code and the same is pending before the learned Judicial Magistrate, 3rd court, Barrackpore, North 24 Paraganas.

According to the learned advocate for the petitioner chargesheet has been submitted and charge has already been framed. But till date none of the witnesses have been examined, although the prosecutions have already relied upon six witnesses.

Record reflects that on 21.02.2023 no witness turned up before the learned Judicial Magistrate, 3rd court, Barrackpore.

Record, however, do not reflect that whether the witnesses had any knowledge regarding the date so fixed. Accordingly, the learned Magistrate is directed to effect service through the Inspector-in-Charge of Belgharia Police Station who would take steps through an officer delegated by him to ensure regarding the presence of the witnesses on the date so fixed by the learned trial court. The learned trial court will call for a compliance report from the Inspector-in-Charge of the Belgharia Police Station.

I have considered that since five years have expired from the initiation of the instant case, the learned trial court would fix at least one date in a month 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 Public Prosecutor appearing in the case would produce the materials, documents and exhibits on the dates fixed for examination of the witnesses concerned.

The learned Magistrate would at least grant three dates for appearance of each of the witnesses concerned and satisfy itself as to whether the witnesses were informed regarding the date of appearance and thereafter will exercise his discretion in respect of the future examination.

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 4567 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]