

D/L277
11.12.2023
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C.R.R.4575 of 2023

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

Suraj Sur
Versus
The State of West Bengal and another

Mr. Bratin Kr. Dey
Mr. Joydeep Das
Mr. Pushan Chattopadhyay.
...for the petitioner.

Ms. Baisali Basu.
...for the State.

Petitioner is directed to serve a copy of the revisional application upon Ms. Baisali Basu, learned advocate, who ordinarily appears on behalf of the State. Her appearance may be regularised by the concerned authorities.

Petitioner has prayed for expeditious disposal of G.R. Case No.475 of 2017 arising out of Chandannagar P.S. Case No.57 of 2017 dated 05.04.2017.

Learned advocate for the petitioner submits that the case was initiated in the year 2017 and after charge-sheet was filed, charge was framed on 3rd December, 2022.

In the charge-sheet, the investigating agency has relied upon six witnesses to prove its case. The petitioner, being the de facto complainant, is an overseas citizen of India and, as such, is unable to be available in the court regularly in the country.

In view of the proceedings pending for more than six years, I direct that the learned trial court would fix a date so that the complainant is available in India and if possible by electronic mode he may be allowed to be examined until and unless his appearance physically is necessary for ends of justice. Learned trial court would fix dates keeping in mind that six years have passed since the initiation of the case. To that effect the other witnesses who are available they may be called, if required on the date so fixed by fixing one date in every 45 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. If required, the assistance of Inspector-in-Charge/ Officer-in-Charge of Chandernagore Police Station may be sought for the availability of the witnesses on the date so fixed. The public prosecutor conducting the case would ensure regarding the production of the materials, exhibits and documents available on the dates so fixed for examination of the witnesses. All stakeholders would co-operate with the learned trial court so that the trial is concluded at the earliest.

With the aforesaid observations, CRR 4575 of 2023 is disposed of.

Pending connected 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.)