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11.12.2023
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C.R.R.4580 of 2023

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

Suraj Sur
Versus
The State of West Bengal and others

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

Mr. Debasis Roy, Ld. P.P.
Mr. Arijit Ganguly.
...for the State.

Leave is granted to the petitioner to amend the case number in the cause title.

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

Petitioner has prayed for expeditious disposal of Chandannagar P.S. Case No.112 of 2012. Petitioner is an overseas citizen of India who was available till the last day of November, 2023, but because of adjournment, the case could not proceed.

Petitioner is directed to appear on 20th February, 2024 before the learned Judicial Magistrate, 3rd Court, Chandannagar, Hooghly which will be the next date fixed by the learned Judicial Magistrate, 3rd Court, Chandannagar, Hooghly. It is directed that the evidence of the petitioner would proceed continuously till the examination and cross-examination is complete.

Mr. Arijit Ganguly, learned advocate appearing for the State is directed that he would communicate with the Public Prosecutor/APP of the concerned court who would take steps so that the petitioner is not unnecessarily harassed for coming to India for the only purpose and thereafter return without his evidence being complete.

Learned Judicial Magistrate is directed that the defence be allowed to cross-examine the witness continuously till it completes the cross-examination. Petitioner would make arrangement to stay for three weeks in India on and from 20th February, 2024. Thereafter, the learned Magistrate on and from the month of April, 2024 would fix one date in every month for rest of the witnesses so that the trial of the case can be taken to its logical conclusion as early as possible keeping in mind that more than eleven years have passed since the initiation of the case.

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

Needless to state that so far as this particular proceeding is concerned, learned Judicial Magistrate, 3rd Court, Chandernagore, Hooghly would proceed with the case irrespective of any resolution of the local bar.

With the aforesaid observations, CRR 4580 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.)