

20.12.2023
Item No.57
gd/ssd

CRR/4587/2023

SIDDHARTHA MITRA
VS
STATE OF WEST BENGAL AND ORS.

Mr. Y.Z. Dastoor
..for the Petitioner.

Mr. Arijit Ganguly
..for the State.

Report submitted by Mr. Arijit Ganguly, learned advocate appearing for the State be kept with the record.

Report reflects that the death certificates relating to late Srila Mitra and late Binata Mitra have already been filed before the Jurisdictional Court being the learned Judicial Magistrate, 1st Court, Barrackpore.

The grievance of the petitioner was that the case was stalled before the learned Magistrate as the enquiry relating to the death of Binata Mitra was awaiting since the year 2020.

Having considered the fact that the police authorities have already submitted such report, there is no impediment in respect of progress of the case which was initiated in the year 2012.

Accordingly, the learned Judicial Magistrate, 1st Court, Barrackpore is directed to consider the charges

on the next date so fixed provided the documents under Section 207 of the Code of Criminal Procedure has already been supplied to the accused persons facing the trial.

All efforts be taken by learned Judicial Magistrate so that the accused persons appear on the next date so fixed by the Court.

The learned trial court thereafter would fix one date in every fortnight so that the process of consideration of charges are over and if after the consideration of the charges the learned court is of the opinion that trial should be conducted in that case learned Magistrate would go on fixing one date in every fortnight to conclude the trial at the earliest.

The Inspector-in-Charge, DDI, Barrackpore DD, CID, West Bengal would conduct an enquiry regarding the availability of the witnesses concerned who have been cited in the charge-sheet as more than 11 years have passed.

Learned Public Prosecutor conducting the case would produce the material documents and exhibits on the date so fixed for examination of the witnesses.

All stakeholders would cooperate to conclude the trial at the earliest.

With the aforesaid observations, CRR 4587 of 2023 is disposed of.

All the parties shall act on the server copy of this order duly downloaded from the official website of this court.

(Tirthankar Ghosh, J.)