

Court No. 34

11.12.2023

(AD 291)

(S. Banerjee)

CRR 4589 of 2023

In re: Dhiman Boral

... petitioner

Mr. Tapas Kumar Ghose
Mr. Tanmoy Chowdhury

... for the petitioner

Mr. Manoranjan Mahata

... for the State

The petitioner is directed to serve a copy of the revisional application upon Mr. Manoranjan Mahata, who ordinarily appears on behalf of the State. The appearance of Mr. Mahata may be regularized by the concerned authorities.

Learned advocate for the petitioner submits that the petitioner is aggrieved by the slow pace of S.C.(Spl.) No. 15 of 2022 arising out of Chandernagore Police Station case no. 31 of 2022 dated 9th February, 2022.

Learned advocate submits that although charge was framed on 23rd February, 2023, till date none of the witnesses have been examined. The prosecution in order to prove its case has relied upon 16 witnesses.

Having considered the agony of the petitioner, I am of the view that the same is justified. The charges are under Sections 4 and 6 of the Protection of Children from

Sexual Offences Act. Accordingly the victim is a vital witness.

Thus, it is directed that the learned Special Court would ensure as to whether the victim and his kin has received notice issued for appearance before the Court. To that extent the learned trial Court would seek assistance from the Officer-in-Charge/Inspector-in-Charge of Chandernagore Police Station who would take steps for informing the private opposite party and the witnesses concerned for their availability before the learned Special Court in order to be present on the dates so fixed. A compliance report is to be submitted by the concerned Officer-in-Charge/Inspector-in-Charge of Chandernagore Police Station. The learned trial Court would try to ascertain regarding the absence, if any, of the witnesses and by fixing a schedule consisting of three dates fix such schedule once in every 60 days, so that the trial 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. All efforts be taken to conclude the trial at the earliest.

Learned Public Prosecutor conducting the case, would produce the material documents and exhibits on the dates so fixed for examination of the witnesses concerned. All stakeholders would cooperate with the learned trial Court.

With the above observation CRR 4589 of 2023 is disposed of.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Tirthankar Ghosh, J.)