

Form J(1)

**IN THE HIGH COURT AT CALCUTTA  
Criminal Revisional Jurisdiction  
Appellate Side**

**Present :  
The Hon'ble Justice Bibek Chaudhuri**

**CRR 4602 of 2022**

**Abdul Aziz  
Vs.  
The State of West Bengal & Ors.**

**For the petitioner : Md. Sabir Ahmed, Adv.,  
Mr. Biswajit Sarkar, Adv.,  
Mr. Dhiman Banerjee, Adv.,  
Ms. Suman Biswas, Adv.**

**For the State : Mr. Anindya Sundar Chatterjee, Adv.**

**Judgement on : 18.01.2023.**

**Bibek Chaudhuri, J.**

This is an application for a direction upon the Trial Court for expeditious disposal of GR Case No. 2190/2011 pending before the learned Judicial Magistrate, 2<sup>nd</sup> Court at Malda.

It is submitted on behalf of the petitioner/*de facto* complainant that in respect of the aforesaid case Police submitted charge-sheet in the year 2014. Thereafter, the learned Magistrate did not frame charge against the accused persons. The petitioner had to approach this Court for a direction upon the Trial Court for framing charge by filing CRR 1824/2021. A coordinate Bench of this Court vide order dated 16<sup>th</sup> September, 2021 directed the Trial Court to frame charge

against the accused. Accordingly, charge was framed against the accused persons in the month of January, 2022. However, till date the learned Magistrate failed to examine any witness on behalf of the prosecution.

It is unfortunate to note that now-a-days if a person wants to get his case disposed of within a reasonable period of time he requires to knock at the door of the highest seat of State Judiciary for a direction upon the Trial Court and the Trial Court does not have any responsibility for speedy trial of a criminal case which is one of the most celebrated fundamental right of both the complainant and the accused persons.

The instant revision is disposed of directing the learned Judicial Magistrate, 2<sup>nd</sup> Court at Malda to examine eight numbers of charge-sheeted witnesses within three months from the date of communication of this order. Thereafter, the learned Magistrate shall come to logical conclusion of the case within one month.

With the above direction, the instant revision is disposed of.

The petitioner is at liberty to act on the server copy of the order.

**(Bibek Chaudhuri, J.)**