

13-12-2023
Subha
Item no. 285
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
CRR 4704 of 2023

Sraboni Mukherjee
-versus-
The State of West Bengal and Anr.

Mr. Manas Kumar Das
Mr. Aritra Kumar Thokdar
.....for the petitioner.

Petitioner is aggrieved by the manner in which the C. R. Case No. 85 of 2019 is progressing before the learned Judicial Magistrate, 1st class, Kandi, Murshidabad. According to the learned advocate, the case was initiated in the year 2019, but till date only examination under Section 251 of the Code of Criminal Procedure is over and none of the witnesses have been examined till date even after completion of four years.

Having considered the plight of the petitioner in a proceeding under Section 138 of the N. I. Act, I am of the view that the same is justified. Accordingly, the learned Magistrate is directed to fix a date in the month of January, 2024 and continuous dates thereafter for completion of the evidence of the 1st witness of the prosecution/complainant. If after the examination of the complainant is over, the prosecution intends to tender any other witnesses the learned Magistrate would exhaust such examination of the prosecution witnesses by 30th November, 2024. The examination under Section 313 of the Code of Criminal Procedure be conducted in the month of May, 2024. Defence/accused be afforded three more months' time to adduce its evidence, if any, and the learned Magistrate would take efforts so that the final verdict of C. R. Case No. 85 of 2019 is pronounced on or before 30th September, 2024.

With the aforesaid observations, the revisional application being CRR 4704 of 2023 is disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]