

28.02.2024
Item No.101
Ct.No.34
dc.

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION

C.R.R. 363 of 2024

In the matter of : **Kajal Biswas & Ors.** ... Petitioners.

Mr. Atindranath Misra ... For the Petitioners.

Mr. Debashis Roy, Ld. P.P.,
Mr. Anand Keshari ... For the State.

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

The petitioners are facing trial in connection with Nakashipara Police Station Case No. 174 of 2005 dated 14.07.2005 under Sections 498A/34 of the Indian Penal Code. The said case is pending before the learned Judicial Magistrate, 3rd Court, Krishnagar, Nadia.

The said report reflects that the evidence commenced in the year 2017, but till date no witness has been examined. The prosecution intends to examine eight witnesses. Records also reflect that summons were not served upon the witnesses and the accused persons as complained by the learned advocate for the State were also not regular before the court.

About 19 years have passed since the initiation of the instant proceedings. Accordingly, I direct that the learned trial court would fix one date in a week for the purposes of the present case. The Inspector-in-Charge, Nakashipara Police Station would ensure regarding the availability of the witness on the date so fixed by the learned trial court. All efforts be taken to conclude the trial at the earliest.

It is reiterated that in case any witness is absent, the learned Judicial Magistrate, 3rd Court, Krishnagar, Nadia would directly send summons to the Inspector-in-Charge, Nakashipara Police Station who would take steps for ensuring the appearance of the witness concerned or submit a report before the trial court regarding the reasons for non-availability of the witness.

With the aforesaid observations, the revisional application being CRR 363 of 2024 is disposed of.

Pending connected application, if any, is consequently disposed of.

Department is directed to communicate this order to the learned Judicial Magistrate, 3rd Court, Krishnagar, Nadia within a period of ten days.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)