

D/L60
29.02.2024
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C.R.R.705 of 2024

In Re: An application under Article 227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973;

Surah Khatoon @ Sura Khatun and another
Versus
The State of West Bengal

Ms. Afreen Begum
Ms. Swastika Chowdhury.
...for the petitioners.

Mr. Debasish Roy, Ld. P.P.
Mr. Arijit Ganguly
Ms. Rita Datta.
...for the State.

Learned advocate appearing for the petitioners prays for expeditious disposal of Bongaon Police Station Case No.445 of 2017 dated 27.04.2017 (G.R. No.1485 of 2017) which was registered under the provisions of Sections 14/14C of the Foreigners Act, 2014 and is pending before the learned ACJM, Bongaon, North 24 Parganas.

Learned advocate appearing for the State submits that warrant of arrest is pending against the other accused persons.

Having regard to the submissions made on behalf of the petitioners and on behalf of the State, I direct the learned Magistrate to exhaust the warrant of arrest which has been issued against the absconding accused person(s) and split up the trial of the case.

It has been informed that the next date has been fixed on 6th May, 2024.

Learned Magistrate would prepone the date and issue

process adhering to the provisions of Section 82 of the Code of Criminal Procedure and thereafter exhaust the process by confirming to the statutory period. If required the reports be called for from the superior officer of the police in case there is non-execution return and thereafter exhaust the process under Section 83 of the Code of Criminal Procedure. Whole of this process be completed by 30th June, 2024. The learned trial court will thereafter proceed with the case by fixing at least one date in a month so that the trial of the case can be taken to its logical conclusion within a reasonable period of time. No unnecessary adjournment be granted to any of the parties. Learned public prosecutor conducting the case would produce all the materials, documents and exhibits on the date so fixed for examination of the witnesses. All stakeholders would cooperate with the trial court to conclude the trial at the earliest.

With the aforesaid observations, CRR 705 of 2024 is disposed of.

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

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)

