

01-04-2024
Subha
Item no. 113
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
CRR 956 of 2024

Kamal Krishna @ Kamal Halder
-versus-
State of West Bengal

Mr. Jannat Ul Firdous
Mr. Rajesh Naskar
.....for the petitioner.
Ms. Sreyashee Biswas
Mr. Dattatreya Dutta
...for the State.

Learned advocate for the petitioner is aggrieved by the progress of the case being Mathurapur P. S. Case No. 290 of 2016 wherein the Investigating Agency on conclusion of investigation submitted chargesheet under Sections 341/323/354A/354B/504 IPC.

A report has been submitted by Ms. Biswas, learned advocate for the State, which was prepared by the Officer-in-Charge, Mathurapur PS which reflects that the next date has been fixed for charge on 13th June, 2024. The order-sheet so enclosed with the revisional application reflects that the accused himself was not present on majority of the occasions.

Having considered the prayer which is identically opposite as the petitioner has prayed for expeditious disposal of the case, I direct that in case he is not present on 13th June, 2024, learned court will not hesitate to issue harsher process of law. Steps be taken by the learned Magistrate to conclude the process of consideration of charges within a period of one month of 13th June, 2024. In case after consideration of charges, learned Magistrate is

of the opinion that the trial is to be conducted then the learned court would fix one date in a month for the purpose of the trial of the case as prosecution has relied upon 7 witnesses to prove its case. Efforts be taken so that the prosecution evidence is concluded at the earliest without granting any unnecessary adjournment to any of the parties.

The learned Public Prosecutor appearing in the case would produce the materials, documents and exhibits on the dates fixed for examination of the witnesses concerned.

In case any witness is absent, the learned trial court would immediately communicate with the Officer-in-Charge, Mathurapur PS who will take steps for making the witness available or in the alternative submit report regarding the non-availability of the witness concerned so that the learned court can proceed to the next stage.

All efforts be taken by the stake-holders to conclude the trial at the earliest.

With the aforesaid observations, the present revisional application being CRR 956 of 2024 is disposed of.

Report so submitted by the learned advocate for the State be kept with the record.

Pending applications, if any, are consequently 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]

