

D/L19
08.04.2024
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C.R.R.1041 of 2024

In Re: An application under Section 483 of the Code of Criminal Procedure, 1973;

XXX (Mother of victim girl)
Versus
The State of West Bengal and another

Mr. Satadru Lahiri
Mr. Sumit Kumar Dey
Mr. Syed Wasim Faruque.
...for the petitioner.

Ms. Amita Gaur
Ms. Shaila Arin.
...for the State.

Mr. Uday Sankar Chattopadhyay
Ms. Trisha Rakshit
Ms. Aishwarya Datta.
...for the opposite party no.2.

Learned advocate for the State has submitted a memorandum of evidence. Let the same be kept with the record.

Records reflect that the summons were not issued on the last two schedules and as such no witness was present in connection with Special ST No.11(01) 2023 arising out of Special Case No.318 of 2022 dated 27.11.2022.

The documents so submitted by the State reflects that the next date is fixed on 16th May, 2024 and it has been informed that till date out of 23 witnesses so cited by the prosecution, only four witnesses have been examined.

Having regard to the progress of the trial particularly in respect of alleged offence under the POSCO Act along with the relevant sections of the Indian Penal Code, I direct that on and from

the month of May, 2024 learned trial court would fix a schedule of three dates and fix such schedule once in every 45 days 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. In case any witness is not available or not traceable, the learned trial court after one schedule will inform the Deputy Commissioner of Police in-charge of Thakurpukur Police Station who would ensure regarding the availability of the witnesses on the next date/schedule so fixed or in the alternative submit a report assigning reasons for non-availability of such witnesses concerned. It would be the discretion of the learned trial court to allow such witnesses for deposing in connection with the instant case any further for the interest of justice or not. The trial of the case would continue in spite of any resolution of local bar and the participating advocates will not in any manner stall the proceedings because of such resolution. 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 1041 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.)