

08-04-2024
Subha
Item no.24
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
CRR 1068 of 2024

Mirjul Bhangi and Ors.
-versus-
The State of West Bengal

Mr. Navanil De
Mr. Rajeshwar Chakraborty
....for the petitioners.

Mr. Debasish Roy, Id. PP
Mr. Arijit Ganguly
Ms. Pallavi Priydarshree
...for the State.

Report submitted by the O/C, Garhbeta PS, Paschim Medinipur in connection with Garhbeta PS Case No. 107/11 dated 15-06-2011 be kept with the record.

Report reflects that the next date has been fixed on 18th April, 2024. The Officer-in-Charge, Garhbeta PS has assured that the investigating officer of the case namely, Santanu Mondal who is presently posted as Court Inspector, Katwa, Burdwan would appear before the court for giving evidence. The learned trial court is directed to continue with the evidence of the said witness till the cross-examination is over. No accommodation be granted to any of the parties and immediately after the examination-in-chief is complete, the cross-examination would commence and continue on a day-to-day basis till it is concluded.

Mr. De, learned advocate appearing for the petitioners submits that he was interested to pursue with the recall of P.W2 which was allowed on 20th September, 2023 and subsequently recalled by the learned trial court by assigning his reasons in his

order dated 04-12-2023.

I have considered the reasons so assigned by the learned trial court in the order dated 4th December, 2023. The reasons are acceptable in view of the fact that the case was initiated in the year 2011, the witness was examined in the year 2015 and the application was taken out after 8 years and the application itself do not raise single issues as to why the recall under Section 311 CrPC is warranted in the interest of justice.

Having considered the submissions so advanced on behalf of the petitioners, I am unable to disagree with the order passed by the learned Sessions Court in seisin of Sessions Case No. 26(01) of 2014.

As already 13 years have passed, I am of the view that time has come to arrive at a conclusion on the merits of the case. As such, no interference is made.

The revisional application is being disposed of with the direction to the special court to deliver its verdict as early as possible.

With the aforesaid observations, the present revisional application being CRR 1068 of 2024 is disposed of.

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]

