

30.04.2024
Serial no. 4
[G.S.D]

CRR 1097 of 2024

**In the matter of : Md. Tajibur Rahaman @ Md. Tazibur
Rahaman @ Taju**

... .. Petitioner

Mr. Somnath Adhikary

... for the petitioner

Mr. Debasish Roy

Mr. Arijit Ganguly

Ms. Sreemoyi Roy

... for the State

Report submitted by the Superintendent of Police
(SP), Murshidabad Police District, be kept with the record.

The records of the case reflect that out of the five
witnesses, who are left till date, one witness, namely,
Sadirul Hoque of Bhagwangola PS, has expired on
19.10.2021.

According to the report, the rest of the four
witnesses are available and the other four witnesses have
already been examined by the Id. Trial court. The case is of
the year 2014.

Having considered the time period which has lapsed,
I direct the Id. Trial court to issue notice to the concerned SP
in case, any witness is not available on the date so fixed, as
rest of the witnesses, as is reflected, belong to the police
department.

The S.P. of the concerned district or any officer deputed by him will answer regarding the availability of the witnesses or the reasons for non-availability. The Id. Trial court will not accept any lame excuse of being absent on the date so fixed.

It is reiterated that the office of the concerned S.P. will ensure regarding the availability of the witnesses concerned. Id. Public Prosecutor conducting the case will produce the exhibits, materials and documents on the next date so fixed for examination of the witnesses concerned. No unnecessary adjournment be granted to any of the parties. The trial of the case would continue in spite of any resolution of the local bar and the Id. Advocates conducting the case will not stall the proceedings because of any resolution. All stakeholders will cooperate with the Id. Trial court so that the trial is completed at the earliest.

The Id. Trial court will fix a schedule consisting of three dates and fix such schedule once on every 20 days till completion of the trial.

With the aforesaid observations, CRR 1097 of 2024 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)