

29.04.2024
Serial no. 3
[G.S.D]

CRR 1185 of 2024

In the matter of : Arup Srimani

... .. Petitioner

Mr. Debangan Bhattacharjee
Mr. Mahiul Islam

... for the petitioner

Mr. Debasis Roy
Mr. Arijit Ganguly
Ms. Sreemoyi Roy

... for the State

Report submitted by the Inspector in charge of Howrah GRPS through the Id. Public Prosecutor be kept with the record.

The report reflects that 19 witnesses have been examined out of the 46 charge-sheeted witnesses. 27 witnesses are yet to be examined by the prosecution. The next date so fixed, as is reflected from the report, is on 14.6.2024.

I have considered the records of the case and I find that more than 11 years have passed since the initiation of the instant case.

Having regard to the same, I direct that the Inspector in charge of Howrah G.R. Police station will act as

a Nodal Officer of the case and assist the court for making the witnesses available.

The Id. Trial court is directed to fix a schedule consisting of three dates and fix such schedule once in every 20 days so that the trial of the case can be taken to its logical conclusion within a reasonable period of time.

Needless to state that the Nodal Officer will apprise the court by filing a report regarding the availability and non-availability of the witness concerned on each and every date so fixed in the schedule.

In case, the accused persons do not cooperate with the trial and contribute to the delay, in that case, the Id. Trial court will exercise its discretion for modifying the order relating to bail.

Ld. Public Prosecutor conducting the case will produce the materials, exhibits and documents on the date so fixed for examination of the witnesses concerned. No unnecessary adjournment be granted to any of the parties and the trial of the case would continue in spite of any resolution of the local Bar and the participating advocates will not stall the trial of the case because of any resolution being passed. All stakeholders will cooperate with the Id. Trial court so that the trial of the case is concluded at the earliest.

It is directed that all efforts be taken so that 27 witnesses, which the State intends to examine as prosecution witnesses be completed by 30th of June, 2025. Thereafter, the Id. Trial court would fix date for examination of the accused under section 313 of the cr.p.c. and proceed with the progress of the case in accordance with law.

The Id. Addl. District and Sessions Judge, Fast Track Court-III, Howrah is directed to strictly adhere to the timeline for completing the witnesses as directed above keeping in mind that 11 years have passed since the initiation of the case.

With the aforesaid observations, CRR 1185 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.)