

D/L19
22.04.2024
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C.R.R.1268 of 2024

In Re: An application under Section 482 of the Code of Criminal Procedure, 1973 read with Article 227 of the Constitution of India for Speedy disposal;

Ajharuddin Mondal
Versus
The State of West Bengal

Mr. Soujanya Bandyopadhyay.
...for the petitioner.

Mr. Debasish Roy, Ld.P.P.
Mr. Saryati Datta.
...for the State.

Learned advocate appearing for the petitioner is anxious regarding the progress of the case. Learned advocate submits that the petitioner is in custody since December, 2021, i.e. more than two years five months and only three witnesses out of 10 witnesses so cited by the prosecution have been examined till date. It has also been informed that the next series of dates have been fixed from 5th July, 2024.

Having considered the period of detention of the present petitioner, I direct the learned trial court would fix a schedule consisting of three dates and fix such schedule once in a month so that the trial of the case can be taken to its logical conclusion within a reasonable period of time. In case any witness is not available, the learned special court will directly communicate with the Superintendent of Police of the concerned district who would take steps for ensuring the availability of the witnesses' concerned and in case any witness is absent, a report be submitted assigning

reasons before the learned special court for non-availability of such witnesses' concerned. It would be the exclusive discretion of the learned trial court to exhaust harsher process of law if the reasons so assigned are not acceptable to the learned special court.

No unnecessary adjournment be granted to any of the parties. 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' concerned. All stakeholders would cooperate with the trial court to conclude the trial at the earliest.

With the aforesaid observations, CRR 1268 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.)