

14.05.2024
Serial no. 3
[G.S.D]

CRR 1269 of 2024

In the matter of : Sunil Kumar Manna

... .. Petitioner

Mr. Dipta Dipak Banerjee

... for the petitioner

Mr. Mir Anuruzzaman

Mr. Tapas Kumar Saha

... for the State

Reports submitted by the officer in charge of Jorasanko Police Station as well as Survey Park Police Station be kept with the record. Copies of the reports submitted by the State be handed over to the Id. advocate appearing for the petitioner.

Both the officers have expressed their inability to execute the warrant of arrest in view of the fact that the accused, namely, Devi Prasad Dutta, is absconding.

The case is pending since 2018 and is presently being tried by the Id. Metropolitan Magistrate, 15th Court, Calcutta. The petitioner before this court happens to be the defacto-complainant.

Having considered the plight of the present petitioner, I direct the Id. Metropolitan Magistrate, 15th Court, Calcutta to exhaust harsher process of law in view of the reports submitted by the police authorities by adhering

to Section 82 of the cr.p.c. and subsequent provisions after the process is exhausted.

The Id. trial court would, then, split up the trial and, after consideration of charges, if the Id. Magistrate is of the opinion that the trial of the case should be conducted, in that case, the Id. trial court would fix one date 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 adjournments be granted to any of the parties. Id. Public Prosecutor conducting the case would produce the materials, exhibits and documents on the date so fixed for examination of the witnesses. All stakeholders would cooperate with the Id. trial court so that the trial of the case is concluded at the earliest. The trial of the case would continue in spite of any resolution of the local Bar and the participating advocates in any manner or the other will not stall the proceedings in spite of such resolution.

With the aforesaid observations, CRR 1269 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.)

