

D/L22
22.04.2024
Bpg.

C.R.R.1280 of 2024

In Re: An application under Section 482 of the Code of Criminal Procedure;

Afzal SK @ Afjal SK @ Abjal Sk @ Afjal Hossain
Versus
The State of West Bengal

Mr. Kallol Kumar Basu
Md. Jannat Ul Firdous
Mr. Rajesh Naskar.
...for the petitioner.

Mr. Debasish Roy, Ld.P.P.
Mr. Arijit Ganguly
Ms.Sreemoyi Roy.
...for the State.

Kandi Police Station Case No.91 of 2001 dated 17.09.2001 is pending for about 23 years and the last of the order-sheet reflects that commitment is yet to take place.

Learned ACJM, Kandi, Murshidabad is directed henceforth not to delay the trial and compel the accused persons to appear before the court. If the accused persons are absent, the learned trial court would at this stage issue proclamation against the accused persons and after exhausting the process within a period of three months split up the trial of all the accused persons who are appearing and the accused persons who are absconding.

The report of the Superintendent of Police, Murshidabad Police District which has been submitted before this Court reflects regarding the availability of the witnesses' concerned. The said report be also placed before the learned jurisdictional court. All

steps be taken by the learned ACJM, Kandi, Murshidabad so that case is committed to the court of sessions within 31st October, 2024. If within 15 days all the accused persons appear, learned trial court will give them one opportunity for regularising their bail, if earlier they are on bail. Thereafter, the learned trial court will not give any opportunity to any of the accused persons and will proceed in accordance with the directions given above.

Accordingly, CRR 1280 of 2024 is disposed of.

Report so submitted by the State be kept with the record. Copy of the same be submitted by the prosecution with the learned ACJM, Kandi, Murshidabad.

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.)