

23-04-2024
Subha
Item no. 12
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1354 of 2024

Nitin Himasingka
-versus-
State of West Bengal & ors.

Mr. Anirban Dutta
Mr. S. Ghosh
Ms. Kuheli Barman
....for the petitioner.

Mr. Bidyut Kumar Roy
...for the State.

Petitioner being the de facto complainant is aggrieved by the manner in which the case is progressing. According to the petitioner the present case being Anandapur P. S Case No. 68 of 2016 dated 07-03-2016 was registered for investigation and thereafter on completion of investigation within close proximity of time chargesheet was submitted before the jurisdictional court. According to the learned advocate copies were served in the year 2017 however, there has been no progress in the case and the accused persons in a designed manner has been evading the trial. According to the learned advocate the next date has been fixed on 16th May, 2024 for consideration of charges.

Having regard to the submissions so advanced, I direct the learned Judicial Magistrate, 10th court, Alipore to overcome the stage of consideration of charges on the next date so fixed i.e., 16th May, 2024 or within a month thereafter. The learned trial court if

after consideration of the charges, is of the opinion that the trial of the case should proceed then in that case the learned trial court would fix at least one date in a month for the purposes of the present case 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 and in case the accused persons adopt any means of delaying the trial the learned trial court will exhaust harsher process of law.

As charges have not been framed till date this court restrains from passing other guidelines but the learned trial court would take sincere efforts in respect of the progress of the trial.

It is further directed that the date so fixed for the purpose of the present case should have an effective progress and should not be stalled because of any resolution of local Bar.

With the aforesaid observations, the present revisional application being CRR 1354 of 2024 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]

