

05-02-2024
Subha
Item no. 645
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1530 of 2023

Dilip Ganguly @ Dilip Kumar Ganguly.
-versus-
The State of West Bengal

Mr. Dipayan Kundu
....for the petitioner.

Ms. Baisali Basu
...for the State.

Record of this case reflects that Chanditala PS Case No. 293 of 2013 was registered on 12th August, 2013. The Investigating Agency on conclusion of investigation submitted the chargesheet in connection with the instant case on or about August, 2013 and finally after service of copies charge was framed on 24th November, 2014.

Learned advocate appearing for the petitioner is aggrieved by the fact that out of six charge sheeted witnesses so relied upon, four witnesses have already been examined and two of the witnesses have been left out. Now so far as the doctor is concerned, if there is any difficulty and the doctor being made available before the court then in that case the injury register may be produced before the court concerned. The learned trial court after examination of the Investigating Officer of the case can proceed with the rest part of the trial after the closure of the prosecution evidence. All efforts be taken by the learned trial court to conclude at the earliest as records reflect that the next date has been fixed

on 5th March, 2024 for evidence of Doctor Kaushik Chatterjee. The Officer-in-Charge, Chanditala PS, Hooghly will take efforts so that the witness and the necessary documents are made available on the dates so fixed. The learned trial court is directed that as 10 years have already passed, the prosecution evidence must be concluded by 30th April, 2024. To that effect, the learned trial court will be at liberty to fix as many dates and as many schedule as it deems fit and proper for the purposes of Chanditala PS Case No. 293 of 2013.

The learned trial court will thereafter fix date for examination under Section 313 of the Code of Criminal Procedure and afford some time for adducing its evidence. If the defence is not interested to tender any witness, the learned trial court will proceed with the final arguments of the case. In case the defence is willing to rely upon some witnesses, time be afforded but by no stretch the verdict of the case should be after 31st December, 2024.

With the aforesaid observations, the revisional application being CRR 1530 of 2023 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]

