

CRR No. 1633 of 2024

In the matter of : Suraj Sur petitioner.

Mr. Sudipto Moitra
Mr. Bratin Kr. Dey
Mr. Joydeep Das ...for the petitioner.

Ms. Zarin N. Khan
Mr. Parvez Anam ...for the State.

Mr. Prattay Kumar Khan
Mr. A. R. Tiwary
Mr. Somdev Ash ...for the opposite parties.

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that the petitioner who is the de facto complainant in the proceeding being GR Case No.619 of 2012 shall be available in India till 24th June, 2024 and shall leave for his residence in Finland on 25th June, 2024.

By the order impugned dated 20th February, 2024 passed in the said proceeding, the learned Judicial Magistrate, 3rd Court, Chandernagore, Hooghly closed the evidence of the petitioner upon turning down the prayer of the learned APP for adjournment of his evidence.

The petitioner prays for setting aside the said order and allowing him to adduce evidence before the learned Trial Court from 20th June, 2024 to 24th June, 2024.

This Court is informed that the next date of evidence has been fixed before the learned Trial Court on 20th June, 2024.

Since the petitioner shall be available for adducing evidence on 20th June, 2024, 21st June, 2024 and 24th June, 2024, this Court is of the view that liberty be granted to the petitioner to adduce evidence before the learned Trial Court and his evidence be concluded within these three days.

The order passed by the learned Judicial Magistrate, 3rd Court, Chandernagore, Hooghly on 20th February, 2024 in GR Case No.619 of 2012 is set aside.

The petitioner is directed to appear before the learned Trial Court on 20th June, 2024, 21st June, 2024 and 24th June, 2024 for adducing evidence before the said learned Court.

It is further directed that the evidence of the petitioner would proceed on a day-to-day basis and be completed within the three available dates.

The learned Trial Court shall make all endeavours to complete the evidence of the petitioner within the three dates. In the event the evidence cannot be completed due to reasons beyond the control of the learned Court, further evidence of the petitioner shall be recorded by way of video conference by the learned Court.

The revisional application is disposed of.

All parties shall act on the server copy of this order duly uploaded from the official website of this Court.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)