

21-05-2024
Subha
Item no. 21
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1745 of 2024

Mihir Kumar Mondal
-versus-
State of West Bengal & Anr.

Mr. Soumik Ganguli
....for the petitioner.

Mr. Debasish Roy, Id. PP
Mr. Koushik Kundu
Mr. Bikram Mitra
...for the State.

Petitioner being de facto complainant is aggrieved regarding the pace with which the case is being progressed which relate to Durgapur P. S. Case No. 219 of 2019 corresponding to S. C No. 85 of 2020.

Learned advocate for the petitioner submits that the next date is fixed on 10th July, 2024 for consideration of charges.,

Having considered that since the institution of the case in the year 2019, more than five years have passed, the learned trial court being the learned Additional District and Sessions Judge, 2nd court, Durgapur would ensure that charges are considered and completed on 10th July, 2024 or at least by 31st July, 2024.

In case after the charges are framed against the accused persons the learned trial court would see to that a schedule is fixed consisting of three dates and the schedule be fixed once in every forty-five days so that the trial of the case can be taken to its logical conclusion within a reasonable period of time, considering the fact that there are 13 witnesses to be examined in support of the prosecution.

In case any witness is absent, the learned trial court would communicate

with the Officer-in-Charge/Inspector-in-Charge, Durgapur Police Station who would ensure regarding the availability of the witnesses and in the alternative submit a report regarding their non-availability. It would be the discretion of the learned trial court to consider whether the any presence of the witness is required by exercising his discretion keeping in mind the ends of justice.

The Public Prosecutor appearing in the case would produce the materials, documents and exhibits on the dates fixed for examination of the witnesses concerned.

The trial of the case should continue in spite of any resolution of the local Bar and there should not be any impediment of the learned representing advocates to continue with the trial.

All the stake-holders would cooperate with the trial court to conclude the trial at the earliest.

With the aforesaid observations, the revisional application being CRR 1745 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]

