

17.05.2024
Serial no. 8
[G.S.D]

CRR 1866 of 2024

In the matter of : Prosenjit Mazumder

... .. Petitioner

Mr. Santanu Chatterjee
Mr. Tanmoy Roy
Mr. Rajendra Kr. Nandi

... for the petitioner

Mr. Antarikhya Basu
Mr. Saibal Kr. Dasgupta

... for the State

The petitioner is aggrieved by the progress of the proceedings relating to Nischinda P.S. Case No. 212 of 2017 dt. 12.10.2017 which is pending before the Id. JM, 7th Court, Howrah.

Ld. advocate for the petitioner submits that all efforts have been taken by the petitioner, but, in spite of the same, there has been no progress of the case and out of the eight witnesses so cited by the prosecution, only one witness has been examined, till date.

Having considered the progress of the case, I direct the Id. trial court to fix at least one date in every 60 days for the purposes of the trial of the case so that there may be some progress in the case.

If, in course of trial, the Id. trial court finds that a particular witness is not appearing, in such circumstances, the Id. trial court would issue notice to the inspector in charge/officer in charge of Nischinda P.S., who would take steps for ensuring the availability of the witnesses or, in the alternative, submit a report before the court assigning reasons for non-availability of the said witness.

It would be the discretion of the Id. trial court to further issue summons or, notice to such witness, which would be in the interest of justice.

No unnecessary adjournments be granted to any of the parties. Ld. Public Prosecutor conducting the case would produce the materials, exhibits and documents on the date so fixed for examination of the witnesses. All stakeholders would cooperate with the Id. trial court so that the trial of the case is concluded at the earliest. The trial of the case would continue in spite of any resolution of the local Bar and the participating advocates in any manner or the other will not stall the proceedings in spite of such resolution.

With the aforesaid observations, CRR 1866 of 2024 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)