

01.10.2024.
p.b.
SL. No.8.
Ct. No.236.

CRR 2127 of 2024

Rabidas Dutta
Vs.
State of West Bengal & Anr.

Mr. Abhinaba Dan.
.....for the petitioner.

Mr. Anand Keshari,
Ms. Sima Biswas.
.....for the State.

Learned advocate for the petitioner and the
learned advocate for the opposite party State are
present.

Heard learned advocates for the parties.

This petition under Article 227 of the
Constitution is preferred for quashing the proceedings
pending in the Court of learned Special Judge,
Serampore being Special Case No.1 of 2018 in
connection with Uttarpara Police Station Case No.438 of
2014 dated 19th December, 2014.

The petitioner being aggrieved by the delay has
also come up before this Court. By order dated 31st July,
2023, a learned Judge of this Court was pleased to

dispose CRR 1685 of 2023 by observing and directing as follows:-

“However, since substantial period has been wasted, I direct that the learned Trial Court would, on the next date so fixed or within a month thereafter, overcome the stage of consideration of charge and thereafter according to the outcome of the charge proceed with the trial of the case by fixing a date in a month so that the trial of the case can be taken to its logical conclusion within a reasonable period of time. No unnecessary adjournment will be granted to either of the parties and the learned Public Prosecutor would produce the exhibits on the date so fixed. All stakeholders would cooperate with the learned Trial Court in concluding the trial at the earliest.”

It appears that although the direction was issued upon the Trial Court to conclude the trial at the earliest but, till today, the application pending under Section 227 of the Cr.P.C. is yet to be disposed.

In the facts and circumstances, this Court is of the view that no fruitful purpose will be served by keeping this application pending. Thus, this application is disposed of with request to the learned court below to consider the petitioner under Section 227 Cr.P.C. pending before it and being fixed on 10th December, 2024 to be decided at the earliest preferable within a

period of three weeks from the next date fixed without granting any unnecessary adjournments.

This application stands disposed of.

Urgent certified photocopy of this order, if applied for, shall be supplied to the parties on compliance of usual legal formalities.

(Biswaroop Chowdhury, J.)