

CRR No. 2587 of 2024

In the matter of : Bubai Biswas @ Rahul Dutta
..... petitioner.

Mr. Shibaji Kr. Das
Mr. Samrat Chowdhury
Mr. Dipendu Sarkar
Ms. Deblina De ...for the petitioner.

Mr. Debasish Roy
Mr. Arijit Ganguly
Ms. Sreemoyi Roy ...for the State.

Report submitted by the State is taken on record.

None appears for the private opposite party despite service.

The petitioner has assailed the order passed by the learned Additional District & Sessions Judge, 7th Court, Barasat, North 24 Parganas on 19th June, 2024 discharging the witnesses being PW 4 and PW 5 after their examination in chief was completed, on the ground that learned counsel for the petitioner was not able to cross examine the witnesses on that date and sought adjournment.

Learned counsel for the State submits that this Court directed the learned Trial Court to dispose of the case as expeditiously as possible without granting any

unnecessary adjournment to either of the parties for which the learned Trial Court was constrained to close the examination of the PW 4 and PW 5 and proceed to examine the other witnesses.

It appears from the order impugned that learned counsel for the petitioner was unable to cross examine the PW 4 and PW 5 on the relevant date due to his illness and the advocate on record who was entrusted with the copies of the examination in chief of the witnesses for conducting cross examination also sought adjournment.

Be that as it may, since the petitioner intends to cross examine PW 4 and PW 5, the petitioner be permitted to cross examine the witnesses in the interest of justice.

This Court is informed that the next date for examination of witnesses is fixed on 27th November, 2024.

The learned Trial Court shall allow the petitioner to cross examine PW 4 and PW 5 on two consecutive dates to be fixed by him in the month of December, 2024 upon issuance of summons upon the said witnesses. Examination of each of the witnesses shall be concluded on that particular date without seeking any adjournment for the same.

With the above directions the revisional application being CRR 2587 of 2024 is allowed.

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

(Suvra Ghosh, J.)