

September 5, 2024
17 ARDR

CRR 2850 of 2024
CRAN 1 of 2024

Amit Baran Das
Vs.
The State of West Bengal & anr.

Adv. Anand Keshri,
Adv. Debashish Bhattacharjee,
Adv. Pubali Debnath,

...for the petitioner.

Adv. Rituparna Ghosh,
Adv. Abhinaba Mukherjee,

...for the State.

Affidavit of service filed by the petitioner is taken on record.

None appears for the private opposite party despite service.

By consent of the parties, the revisional application is taken up
for consideration along with the application being CRAN 1 of 2024.

Heard learned counsels for the parties.

The petitioner has assailed the order passed by the learned
Sessions Judge, North 24 Parganas on 14th June, 2024 in Criminal
Revision no. 207 of 2023 arising out of G.R. case no. 363 of 2018
pending before the learned Additional Chief Judicial Magistrate,
Bidhannagar, affirming the order passed by the learned Magistrate
on 21st April, 2023.

It appears that the petitioner cross examined the complainant
(PW1) on several dates fixed before the learned trial Court and on 19th
November, 2022 sought accommodation to further cross examine the
witness. Upon vehement objection raised by the learned Additional
Public Prosecutor, cross examination of PW1 was closed on that date.

Learned counsel for the petitioner submits that the petitioner shall conclude the cross-examination of the witness on a single date if given such opportunity.

It is a fact that the PW1 was cross examined on behalf of the petitioner on several occasions. However, since according to the petitioner, a single date is required for completion of her cross-examination, the petitioner be permitted to cross examine the witness (PW1) for ends of justice.

The revisional application, being CRR 2850 of 2024 is allowed.

The order impugned dated 14th June, 2024 passed by the learned Sessions Judge, North 24 Parganas in Criminal Revision no.207 of 2023 and the order dated 21st April, 2023 passed by the learned Additional Chief Judicial Magistrate, Bidhannagar in G.R. case no. 363 of 2018 are set aside/quashed.

The petitioner is granted liberty to further cross examine the PW1 on a single date fixed by the learned trial Court. It is made clear that cross-examination of PW1 shall be concluded by the petitioner on the said date.

CRAN 1 of 2024 is disposed of.

(Suvra Ghosh, J.)