

30-01-2024
Subha
Item no. 08
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 2664 of 2023

Sk. Enjamul @ Enjo
-versus-
State of West Bengal

Mr. Kajal Mukherjee
Mr. Santanu Chatterjee
Mr. Bikash Chakraborty
Mr. Rajendra Kr. Nandi
.....for the petitioner.

Mr. Sanjoy Bardhan
Ms. Baishakhi Chatterjee
.....for the State.

Affidavit of service so filed be kept with the record.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for more than two and half months in connection with Jagacha P. S. Case No. 231 of 2021 and till date the trial has not been completed in spite of several schedule being fixed by the learned special court.

I find from the record of the revisional application that last of the ordersheet which has been enclosed is 24th July, 2023.

Mr. Bardhan, learned advocate appearing for the State has submitted a report dated 5th December, 2023 from where it reflects that more than six witnesses have been examined, however, learned advocate for the State on instruction submits that the cross-examination of the Investigating Officer is left and the next date is fixed on 20th February, 2024.

Having regard to the period of detention of the present petitioner and the fact that the trial has been carried out in a very lethargic manner and has only expedited since June, 2023, I direct that on 20th February, 2024 all efforts be taken to conclude the cross-examination of the Investigating Officer. In case the same is not completed on the said date, the learned trial court would fix continuous dates till the cross-examination of the Investigating Officer is over.

The learned trial court within a week after closure of the prosecution witnesses would try to fix the examination under Section 313 of the Code of Criminal Procedure in the first week of March, 2024.

Learned advocate for the petitioner submits that the petitioner is not inclined to tender any defence witness, if that be so, the learned trial court from 15th March, 2024 would commence the arguments of the case and take all efforts so that by 7th April, 2024, the verdict of the case is pronounced.

It is further directed that for the purposes of the present case the trial, examination under Section 313 of the Code of Criminal Procedure and the arguments of the case will not be stalled in any manner in spite of any resolution of the local Bar.

With the aforesaid observations, the revisional application being CRR 2664 of 2023 is disposed of.

Pending applications, if any, are disposed of accordingly.

Learned Registrar(Judicial), High Court, Calcutta will immediately communicate this order to the learned trial court.

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]