

01.05.2024

Item No.37
Ct.No.34
dc.

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION

C.R.R. 2911 of 2023

In the matter of : **Rajat Halder**

... Petitioner.

Ms. Manali Biswas

... For the Petitioner.

Mr. Debasish Roy, Ld. P.P.,

Mr. Arijit Ganguly,

Ms. Sreemoyi Roy

... For the State.

Report submitted by the State be kept with the record.

Report reflects that the BL&LRO and the Executive Officer, Kamarhati Municipality have submitted their reports that the land in question which is the subject-matter of the case belongs to the Government.

Belghoria Police Station Case No. 24 of 2023 dated 13.01.2023 was registered for investigation under Sections 441/447/427/34 of the Indian Penal Code and under the same sections charge-sheet was also submitted. The primary allegation of the investigating agency was relating to the boundary wall of the school being broken and a programme being organised there.

Learned advocate appearing for the petitioner strenuously argued that the said land was used for compilation and deposition of garbage. The said land was a vacant land and in fact, the petitioner has cleared up the same for organising the programme after seeking permission from the Inspector-in-Charge of the concerned police station.

I have considered the documents which have been placed by the petitioner as also the statement recorded under

Section 161 of the Code of Criminal Procedure and I find that the manner in which the issues have been canvassed are question of facts which cannot be decided by this Court in a summary manner and are required to be assessed by way of trial. As such, I am not inclined to interfere with the prayers so advanced in the revisional application.

However, having regard to the nature of the offences complained of, I direct the learned trial court to expedite the process of trial by overcoming the stage of consideration of charges within a period of sixty days and fixing one date in a month for the purposes of the case so that trial of the case can be taken to its logical conclusion within a reasonable period of time.

With the aforesaid observations, the revisional application being CRR 2911 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Tirthankar Ghosh, J.)