

08.04.2024
Serial no. 9
[G.S.D]

CRR 3160 of 2023
With
CRAN 1 of 2023

In the matter of : Abul Khoir Molla

... .. Petitioner

Mr. Arnab Chatterjee
Ms. Dhanasree Biswas
Ms. Poulami Bose

... for the petitioner

Mr. Debasish Roy
Mr. Saryati Datta

... for the State

The petitioner is aggrieved by the factum that since August, 2022, he is in custody and there has been no progress in the trial of the case.

Ld. Advocate for the State has submitted a report, which reflects that chemical examiner’s report took some time to be submitted.

Let such report be submitted before the Id. Special Court.

The records of the case reflect that subsequently charge was framed and dates have been fixed for examination of the witnesses concerned, which is to be commenced on and from 22nd of April, 2024.

Having considered that the petitioner is in custody for about 20 months, I direct the Id. Trial court to expedite the progress of the trial of the case by fixing at least a

schedule consisting of three dates and fix such schedule once 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 be granted to any of the parties.

In case, any witness is absent, the Id. Special Court would directly communicate with the office of the Superintendent of Police, who would take all efforts regarding the availability of the witnesses concerned on the date so fixed and/or submit a report before the court concerned regarding the reasons for such non-availability. It would be the discretion of the court to decide whether further process should be issued against such witness or not.

Ld. Public Prosecutor conducting the case will produce the materials, exhibits and documents on the next date so fixed for examination of the witnesses. All stakeholders would cooperate with the Id. Trial court so that the trial is concluded at the earliest. If any resolution is taken by the local Bar, the Id. advocates conducting the trial will not stall the proceedings against such resolution.

With the aforesaid observations CRR 3160 of 2023 along with CRAN 1 of 2023 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

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

(Tirthankar Ghosh, J.)