

D/L38
03.01.2024
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C.R.R.3870 of 2023

In Re: An application under Section 482 of the Code of Criminal Procedure;

Bireswar Bera
Versus
The State of West Bengal and others

Mr. Golam Mostafa
Mr. Tarasankar Samanta.
...for the petitioner.

Mr. Debasis Roy, Ld.P.P.
Mr. Arijit Ganguly.
...for the State.

Report submitted by Mr. Debasis Roy, learned Public Prosecutor, be kept with the record.

Pursuant to the earlier order, the lower court records have been placed before this Court. The present case being G.R. Case No.673 of 1982 corresponding to Nandigram Police Station Case No.1 of 1982 is pending for the last 41 years.

Mr. Roy, learned Public Prosecutor has submitted a report before this Court, which has been prepared by the Superintendent of Police, Purba Medinipur. According to the report so submitted by the Superintendent of Police, Purba Medinipur, I find that there are various reasons for which the criminal case has been delayed and the case is still pending for consideration of charges. According to the report, only one accused namely, Pranab Bera @ Pranab Kumar Bera is alive. Such being the circumstance and the period which has elapsed since the registration of the FIR, I direct the learned trial court to consider the charges on the next

date so fixed and take steps for concluding the trial by 31st July, 2024. If the witnesses do not appear or no efforts are taken by the prosecution, having regard to the time period which has passed, the learned ACJM, Haldia will pronounce his verdict on or before 31st August, 2024.

With the aforesaid observations, CRR 3870 of 2023 is disposed of.

Pending connected applications, if any, are consequently disposed of.

Department is directed to take steps so that the lower court records reach the court of the learned ACJM, Haldia within a period of seven days from date.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)