

D/L13
12.04.2024
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C.R.R.3954 of 2023
In Re: An application under Section 483 read with Section 482 of the
Code of Criminal Procedure;

Alamgir Sk. @ Sekh
Versus
The State of West Bengal

Mr. Md. Golam Nure Imrohi
Ms. Arundhuti Barai.
...for the petitioner.
Mr. Saryati Datta.
...for the State.

Affidavit of service so filed by the petitioner be kept with
the record.

Learned advocate appearing for the petitioner submits
that the petitioner since November, 2022 in connection with
Islampur Police Station Case No.486 of 2022 and till date after
framing of charge, none of the witnesses till date have been
examined. The prosecution in order to prove its case has relied
upon 13 witnesses. However, there has been no progress in the case
in spite of the petitioner being in custody for more than one year six
months.

I have considered the submissions advanced on behalf of
the petitioner as well as the State and I find that the reasons so
assigned on behalf of the State are not acceptable. Accordingly, I
direct that the learned trial court would fix a schedule of three dates
once in every 60 days 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 not available, the learned trial court would

communicate with the office of the Superintendent of Police of the concerned district who would ensure regarding the availability of the witnesses' concerned or in the alternative submit a report before the court assigning reasons for non-availability of such witnesses' concerned. It would be the discretion of the learned trial court to accept or refuse such reasons and the learned trial court is directed that no flimsy grounds or lame excuses for absence of any witness should be accepted by the learned trial court. The trial of the case would continue in spite of any resolution of local bar and the participating advocates will not in any manner stall the proceedings because of such resolution. Learned Public Prosecutor conducting the case would produce all the materials, documents and exhibits on the date so fixed for examination of the witnesses' concerned. All stakeholders would cooperate with the trial court to conclude the trial at the earliest.

With the aforesaid observations, CRR 3954 of 2023 is disposed of.

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

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.)

