

26.04.2024
Serial no. 3
[G.S.D]

CRR 3969 of 2023

In the matter of : Manoj Kumar Gupta
... .. Petitioner

Mr. Avishek Bhandari
Mr. Rajesh Upadhyay
Mr. Akshay Jain

... for the petitioner

Mr. Satadru Lahiri
Mr. Rishav Singh

... for the respondent nos.2&5

Mr. Soumalya Dutta

... for the respondent nos. 3,4,6

Mr. Debasish Roy
Mr. Arijit Ganguly
Ms. Sreemoyi Roy

... for the State

Report filed by the Officer in charge of Golabari P.S.
dated 13.4.2024 be kept with the record.

The report reflects that the accused persons are available at their respective addresses. However, subsequently, it has been informed before this court that the o.p. no.6, namely, Narendra Kr. Singh, has expired. A Photostat copy of the Death Certificate/Report has been handed over to this court.

The Id. Magistrate is directed to take steps by directing the officer in charge of Golabari P.S. to submit a report in respect of the o.p. no.6 and the death report submitted before the High Court.

The petitioner has approached this court for expeditious disposal of the proceedings which were initiated in the year 2019 and the charge-sheet was submitted in the year 2021, although, the same was prepared on 30th of September, 2020.

Subsequent dates, from 2021 till 20th May, 2023, reflect that, alternatively, the accused persons were absent in court.

Having considered the conduct of the accused persons for which the trial cannot proceed, I direct the Id. CJM, Howrah, henceforth, to issue stringent orders by exhausting harsher process of law, if all the accused persons are not appearing in court pursuant to the dates so fixed.

The copies under section 207 of the cr.p.c. be handed over to the accused persons within a period of 60 days from the date of communication of this order and the Id. CJM, Howrah or, any other transferee court, *in seisin*, of the matter will take steps for consideration of the charges within a period of one month from receipt of the records.

If, after consideration of charges, the Id. trial court is of the opinion that the trial of the case is to be proceeded with, in that case, the Id. trial court will fix one date in every 60 days so that the trial of the case can be taken to its logical conclusion within a reasonable period of time.

With the aforesaid observations, CRR 3969 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.)