

30.01.2024
item No.168
Rakib (PA).
ct. no. 34

CRR 4059 of 2023

Rinku Sk. @ Babu.
Vs
The State of West Bengal

In Re: An Application under Section 482 read with Section 401 of the Code of Criminal Procedure;

Mr. Dhananjay Banerjee,
Mr. Snehasish Ghosh,
Ms. Chandrani Debnath.

.... For the Petitioner.

Mr. Debasish Roy, Ld. PP,
Ms. Rituparna De Ghosh.

.... For the State.

Memo of evidence submitted on behalf of the State be kept with the record.

Learned Advocate appearing for the State submits that the next date is fixed on 5th March, 2024 and the prosecution has relied upon 15 witnesses to prove its case.

Learned Advocate appearing for the petitioner submitted that the petitioner is in custody since 16.01.2023 and till date charge has not been framed. Anxiety expressed by the petitioner as 15 witnesses are to be examined and more than one year has passed since his arrest, is justified.

In view of the aforesaid the learned the trial Court is directed to consider the charges on the next date so fixed or within a fortnight thereafter. Learned Trial Court would fix a schedule thereafter of three dates and fix such schedule 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.

In case any witness is reluctant to appear the office of the Superintendent of Police be informed. The said office would immediately respond by submitting a report in case any witness is not available and in the alternative ensure regarding presence of the witness on the date so fixed before the learned Special Court.

The learned Public Prosecutor conducting the case would produce materials, exhibits and documents on the date so fixed for examination of witnesses concerned. All stakeholders would cooperate with the learned trial Court to conclude the trial at the earliest.

With the aforesaid observations CRR 4059 of 2023 is disposed of.

Pending 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 given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)