

26.04.2024
Serial no. 4
[G.S.D]

CRR 4389 of 2023

In the matter of : Lakshman Mohan Sur

... .. Petitioner

Ms. Sima Adhikari

... for the petitioner

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

... for the State

Report submitted by the Inspector of police, CID,
West Bengal, be kept with the record.

The report reflects that four of the accused persons
namely, Mohammod Mohidul islam Sardar @ Maidul Sardar,
Lakxmi @ Lakxmimohon Sur, Pawan Jaiswal, Tapan Poddar
are appearing in court. The rest of the accused persons are
not appearing for which warrant of arrest has been issued.
The next date has been fixed by the Id. Trial court on
22.8.2024 for execution return of warrant of arrest in
respect of the accused persons, who are not appearing.

The present case is of the year 2006. The case, till
date, has not progressed since the charge-sheet was
submitted by the CID, West Bengal.

Having considered the fact that more than 17 years
have passed since the initiation of the present case and four
of the accused persons are diligent, I direct the Id.

Magistrate that on and from 22.8.24, the Id. Magistrate would exhaust the harsher process of law and the same should be concluded within a period of 60 days. Thereafter, the Id. Court would split up the trial of the case and proceed towards the consideration of charges.

The Inspector of police, CID, West Bengal, who has submitted the report before the High Court, Will act as a Nodal Officer of the case and make the witnesses available. Documents be also made available in course of the trial so that the trial of the case can be taken to its logical conclusion within a reasonable period of time.

The Id. Magistrate would also fix a schedule consisting of three dates and fix such schedule once in every 20 days so that there is smooth progress of the trial.

If a witness is not available, the Nodal Officer will submit a report regarding the availability of the witness concerned and it would be the discretion of the Id. Magistrate to consider in the background of the facts whether harsher process should be issued or witnesses can be dropped.

Ld. Public Prosecutor conducting the case will produce the materials, exhibits and documents on the date so fixed for examination of the witnesses concerned. All efforts be taken to conclude the trial by 31st of December, 2024.

With the aforesaid observations, CRR 4389 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.)