

D/L22
19.04.2024
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C.R.R.4562 of 2023

In Re: An application under Section 482 read with Section 401 of the
Code of Criminal Procedure, 1973;

Alamin Mondal and another
Versus
The State of West Bengal

Mr. Omar Faruk Gazi
Ms. Susmita Das.
...for the petitioners.

Mr. Anwar Hossain
Mr. Tapas Kumar Saha.
...for the State.

Memo of Evidence submitted by the State be kept with
the record.

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

Petitioners are aggrieved by the progress of the trial while
they are detained in custody since 14th December, 2021.

Report submitted by the State reflects that out of 10
witnesses so cited by the prosecution, till date only one witness has
been examined, although the petitioners are in custody for two
years and five months.

Having regard to the period of detention of the present
petitioners, I direct the learned trial court to fix a schedule
consisting of three dates and fix such schedule once in every 30
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

absent, the learned special court will directly communicate with the Superintendent of Police or the Commissioner of Police of the concerned district/area so that the availability of the witnesses may be ensured. Learned public prosecutor conducting the case would produce all the materials, documents and exhibits on the date so fixed for examination of the witnesses. The trial of the case will continue in spite of any resolution of local bar and the participating/representing advocates for either parties would continue with the trial and will not in any manner stall the proceedings because of such resolution. All stakeholders would cooperate with the learned trial court to conclude the trial at the earliest.

With the aforesaid observations, CRR 4562 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.)