

31.01.2024
Serial no. 151
[G.S.D]

CRR 4655 of 2023

In the matter of : Sabir Ali

... .. Petitioner

Mr. S. Mukherjee
Mr. M. Khanna
Mr. S. N. Ahmed
Mr. M. Nandy
Mr. A. Barai

... .. *For the Petitioner*

Report filed by the Id. Public Prosecutor be kept with the record.

The report reflects that 22 witnesses were examined completely by 5.8.2010. Thereafter, record reflects that the witnesses were not appearing and consequently, the accused persons expired in the meantime.

The record also reflects that the next date was fixed on 16th January, 2024 for furnishing information and/or report regarding death of one of the accused namely, Markand Jha.

It has been submitted that there are 23 witnesses in this case and 22 witnesses have already been examined, and only the investigating officer of the case is to be examined.

Accordingly, it is directed that the Id. Trial Court would from the 1st week of March, 2024 start the examination in

chief of the investigating officer and continue with the same till the evidence of the investigating officer is over keeping in mind that the case was registered in the year 2002.

The Deputy Commissioner of Police, Chandannagar Division, Chandannagar Police Commissionerate would submit a report before the Id. Trial Court regarding the availability of the investigating officer and accordingly, by 20th of February, 2024, the Id. Trial court would fix a date in the first week of March, 2024 and continue with the evidence as directed above.

Thereafter, the Id. Court would take steps so that by 30th of April, 2024, the examination of the accused persons under section 313 of the cr.p.c. is complete.

Two months time is to be given for examination of the defence witness concerned.

However, the Id. Trial court is directed to pronounce its verdict by 30th of November, 2024.

With the aforesaid observations, CRR 4655 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.)