

CRR 5137 of 2024

Shilu Ghosh
Vs.
The State of West Bengal & ors.

Adv. Sambhunath De,

....for the petitioner.

Since the innocuous prayer of the petitioner is for expeditious disposal of Complaint case no. 75 of 2023 pending before the learned Judicial Magistrate, 4th Court, Barrackpore, the matter may be disposed of without service of notice upon the opposite parties. The opposite parties shall not be prejudiced by an order directing expeditious disposal of the case.

Learned counsel for the petitioner produces an order passed by a coordinate Bench of this Court on 9th February, 2024 in CRR 432 of 2024 wherein the learned Magistrate was directed to fix dates as early as possible preferably once in every sixty days so that the trial of the case could be taken to its logical conclusion within a reasonable period of time. This Court further directed that no unnecessary adjournment be granted to any of the parties and all efforts be made by the stakeholders to conclude the trial at the earliest.

It appears from the record that despite such order the learned Magistrate has chosen to grant several adjournments to the accused/opposite party which may not have been granted. Though the petitioner/complainant filed affidavit in chief before the learned trial Court on 5th November, 2024, the learned Magistrate fixed a further date for evidence without recording evidence on the said date despite presence of both the parties before the Court.

In reiterating the earlier order of this Court, I direct the learned Magistrate to take the proceeding to its logical conclusion as expeditiously as possible, in terms of the direction given in the earlier order dated 9th February, 2024 in CRR 432 of 2024 without granting any unnecessary adjournment to either of the parties, in accordance with law.

Accordingly, CRR 5137 of 2024 is disposed of.

Urgent certified website copy of this order, if applied for, be given to the parties, upon compliance of all requisite formalities.

(Suvra Ghosh, J.)