

D/L101
08.02.2024
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C.R.R.4762 of 2023

In Re: An application under Section 482 read with Section 483 of the
Code of Criminal Procedure, 1973;

Sri Pramatha Nath Manna
Versus
The Central Bureau of Investigation

Mr. Ayan Bhattacharjee
Ms. Sofia Nesar
Mr. Santanu Sett
Ms. Sahanaj Parveen.

...for the petitioner.

Mr. Dhiraj Trivedi, Ld. D.S.G.I.
...for the CBI.

Learned special court is directed to fix the date in respect
of RC No.53/S/2014 dated 27.09.2014 on or about 20th February,
2024.

Mr. Trivedi, learned DSGI submits that he is ready with a
software which incorporates all the documents relating to
particularly “back up for financial years from 2007-2008 to 2012-
2013 containing data of MPS Greenery Developers Ltd.”

Since the aforesaid documents are in electronic form, the
learned special court will give an opportunity to the advocate
appearing for the accused/petitioner in the court itself for checking
the legibility or illegibility of the documents. If there are any
documents which are illegible and may not concern, the first few
witnesses to be relied upon by the prosecution, appropriate
direction be given to the CBI to give legible copies in course of time

preferably within one month thereafter.

However, records reflect that the Hon'ble Supreme Court in Special Leave to Appeal (Crl.) No.5785 of 2021 categorically directed for commencement of recording of evidence by the trial court from the month of January, 2022.

In view of the order of the highest court of the land being not complied for last 2 years, I direct that without any further delay, the first of the witness on behalf of the CBI should be examined by the learned trial court between 1st to 8th March, 2024. Thereafter, the learned trial court would fix a schedule and with the spirit of the Hon'ble Apex Court's order expedite the progress of the trial. The documents in this case are voluminous, as such if at any stage, it is found that any particular document which is relied upon by the prosecution was not made available to the defence, the learned trial court would prior to cross-examination ensure that such a copy either electronic or in manual form is made available.

With the aforesaid observations, CRR 4762 of 2023 is disposed of.

Report submitted by Mr. Trivedi, learned DSGI be kept with the record.

Learned special court would adhere to the directions so passed by the Hon'ble Supreme Court as well as this Court.

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.)