

06.02.2024
item No.228
Rakib (PA).
ct. no. 34

CRR 4964 of 2023

Biswajit Biswas.
Vs
The State of West Bengal.

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

Mr. Prabit Majumder,
Mr. S. Majumder,
Mr. Debraj Sil.

.... For the Petitioner.

Ms. Baishakhi Chatterjee.

.... For the State.

Mr. Majumder, learned Advocate appearing for the petitioner prays for expeditious disposal of Kotwali Police Station Case no. 818 of 2014 dated 06.10.2014. Learned Advocate for the petitioner namely, Biswajit Biswas submitted that he has been regularly attending the Court but because of other accused persons being absent or for the death of other accused persons the case has been delayed.

Learned Advocate appearing for the State has submitted a report which in a tabular form reflects the time which has consumed in connection with the instant case.

I find that for a number of dates other accused persons are absent. The next date of the case is fixed on 19.03.2024. Learned Chief Judicial Magistrate, Krishnagar, Nadia would on that date take steps so that all the accused persons are present within a fortnight.

To that effect learned Magistrate would be at liberty to seek the assistance of the DSP/SDPO/Additional SP/In-charge of Kotwali Police Station for ensuring or securing the appearance of the accused persons within a fortnight.

In case rest of the accused are not present, learned Magistrate would exhaust the harsher process of law and after completion of such process be pleased to split up the trial of the case. Learned Magistrate would take steps so that the commitment of the case can take place within a reasonable period of time preferably by six months from the next date i.e. 19.03.2024.

After commitment the learned trial Court in seisin of the matter would take into account that the case is pending for more than 10 years and as such date of the case must be fixed at regular intervals to take the case to its logical conclusion.

With the aforesaid observations CRR 4964 of 2023 is disposed of.

Report so submitted by the State be kept with the record.

Pending 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.

(Tirthankar Ghosh, J.)