

**HIGH COURT AT CALCUTTA
IN THE CIRCUIT BENCH AT JALPAIGURI
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

Present:

The Hon'ble Justice Debangsu Basak

And

The Hon'ble Justice Md. Shabbar Rashidi

M.A.T. 77 of 2024

with

CAN 1 of 2024

Dr. Shreya Roy

VS.

The State of West Bengal & Ors.

For the Appellant : Mr. Subhrojyoti Bhowmik
Mr. Abhishek Sarkar

For the State : Ms. Bedashruti Bose

Heard on : September 23, 2024

Judgment on : September 23, 2024

DEBANGSU BASAK, J.:-

1. Appeal is directed against an order dated July 12, 2024.
2. Appeal is at the behest of the writ petitioner.
3. By the impugned order, the learned Single Judge disposed of the writ petition of the appellant, by issuing certain directions.

4. Writ petition relates to a criminal case. Allegation in the writ petition is that certain footages of the Close Circuit Television (CCTV) are missing. In such context, learned Single Judge issued certain directions by the order under appeal.
5. Learned advocate appearing for the appellant in course of hearing of the appeal submits that, the impugned order of the learned Single Judge be sustained. In addition thereto, he submits that necessary directions be issued for the application of the appellant filed for discharge in terms of the order under appeal be decided as also the entirety of the trial be disposed of should the application for discharge is not allowed.
6. Learned advocate appearing for the State submits on instructions that one of the accused is absconding. Jurisdictional Court fixed a date for framing of charges, issuance of warrant of arrest and hearing of all pending applications.
7. The police case is pending since 2020. Charge sheet was filed on August 16, 2020. Interest of justice requires decision on the police case as expeditiously as possible. Charges include the provisions of the Protection of Children against Sexual Offences Act.
8. It is on one pretext or the other, the trial is yet to commence.
9. As noted above the appellant is seeking sustenance of the order under appeal.

10. In such circumstances, we find no reason to interfere with the impugned order under appeal.
11. Appellant seeks direction for expeditious disposal of the application for discharge filed by the appellant.
12. Learned jurisdictional Court is requested to consider and decide the application for discharge as expeditiously as possible and preferably within a period of fortnight from date.
13. Learned jurisdictional Court will take appropriate measures so that the trial commences. If need be learned jurisdictional Court will split up the trial. Learned Jurisdictional Court is requested to ensure that the trial is taken up on day to day basis and is completed preferably within three months from the date of commencement of the trial. In so doing learned jurisdictional Court will not grant any unnecessary adjournments to any of the parties.
14. With the aforesaid directions, **M.A.T. 77 of 2024** and the connected application being **CAN 1 of 2024** are disposed of without any order as to costs.

(Debangsu Basak, J.)

15. I agree

(Md. Shabbar Rashidi, J.)

