

SL- 90 18.09.2025
(Da)

CRR/2013/2025
MUKTAR SK. AND OTHERS
VS
THE STATE OF WEST BENGAL

Mr. Niladri Sekhar Ghosh,
Mr. Tapadip Gupta, Advocates
.. ...For the petitioner

Ms. Rituparna De Ghose,
Mr. Kaustav Banerjee, advocates
. ...For the State

1. Revisional application is directed against order dated August 8, 2024. By the impugned order, learned Additional Sessions Judge, Fast Track Court Lalbagh, Murshidabad declining an application under Section 313 of the criminal Procedure Code filed at the behest of the petitioners.
2. Learned advocate appearing for the petitioners submits that, the petitioners sought recall of only 4 prosecution witnesses in order to put three questions. He refers to the questions required to be put in cross-examination. He submits that there is a change in the advocate and, therefore, the requirement for recalling of the witnesses.
3. Learned advocate appearing for the State submits that out of 30 prosecution witnesses, evidence of 27 prosecution witnesses stands recorded. She submits that, the entire effort is to delay the disposal of the trial.
4. Change of advocate is no ground for allowing an application for recall of witnesses.
5. In the facts of the present case, the petitioners were represented by an advocate. Prosecution witnesses were cross-examined on behalf of the petitioners. Petitioners now after 27 of the prosecution witnesses, out of 30 being examined, seek recalling of four of the prosecution

witnesses ostensibly to put three questions in cross-examination.

6. I am of the view that the effort of the petitioners is to delay the disposal of the trial and, if possible, to derail it.
7. I find no material irregularity in the order impugned.
8. CRR/2013/2025 is **dismissed**.

(Debangsu Basak, J.)