

IN THE HIGH COURT AT CALCUTTA

Criminal Revisional Jurisdiction

Appellate Side

Present:

The Hon'ble Justice Jay Sengupta

CRR 2149 of 2025

Sk. Yakub Ali alias Sk. Yeakub Ali

Vs.

The State of West Bengal & Ors.

For the Petitioner : Mr. Debajyoti Deb
Mr. Somdyuti Parekh
Mr. Harshavardhan Kr. Jha

For the State : Mr. Suman De
Mr. S. Dutta

Heard on : 24.07.2025

Judgment on : 24.07.2025

Jay Sengupta, J.:

This is an application praying for an expeditious disposal of a Sessions Trial being Sessions Trial No. ST 289 of 2011 under Sections 341, 323, 324, 307, 506 and 34 of the Indian Penal Code presently pending before the learned Additional Sessions Judge, Fast Track Court III, Howrah.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner filed the FIR in question on 20.06.2009. Charge sheet was submitted on 10.08.2009. Charges were also framed. However, the learned trial Court suddenly decided to close the evidence as witnesses were not appearing. By an order dated 01.10.2018 passed

by this Court in CRR 590 of 2018 the order closing the evidence was set aside and the trial Court was directed to take steps for issuance of summons upon the Doctor and other charge sheeted witnesses through its proper machineries and if required, even to take takes steps by issuance of witness warrant for their production to depose in the sessions trial and only thereafter to conclude the trial. In spite of this, no positive steps were taken by the trial Court to ensure attendance of the accused. The proceeding has remained pending for no fault of the present petitioner.

Learned counsel appearing on behalf of the State submits that the State would not come in the way if a direction is passed to expedite the proceeding.

No prejudice will be caused to anyone if a direction is passed to expedite the proceeding.

It appears that there has been inordinate delay in conducting the trial, that too in spite of a previous direction passed by this Court.

In such exceptional circumstances, the trial Court is directed to forthwith take steps for ensuring attendance of the three witnesses as per the earlier order passed by this Court and conclude the trial in accordance with law and as expeditiously as possible, preferably within 18 months from the next date of hearing.

With these observations and directions, the revisional application is disposed of.

Urgent Photostat certified copy of this judgment be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)

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