

02.09.2025
RANJAN
Item no.3
Court No.237

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE**

CRR 3530 of 2025

Rakesh Mondal @ Mondol

-Vs-

State of West Bengal & Anr.

Mr. Abhimanyu Bannerjee, Adv.

Mr. Arnab Saha, Adv.

....For the Petitioner

Petitioner is aggrieved by an order No. 37 dated July 23, 2025 passed in Sessions Trial 03(02)/ 2024.

By the impugned order, the adjournment sought on behalf of the petitioner on July 23, 2025 was rejected by the learned Trial Court. The witness being P.W.3 in the said Sessions Case was to be cross-examined on behalf of the petitioner as well as others. The witness was present in the Court for his cross-examination. He was partly cross-examined on behalf of the other accused persons. The cross-examination of such witness on behalf of the petitioner was deemed to be declined by the impugned order, since the prayer of the petitioner for an adjournment for the purpose of cross-examination of such witness was rejected by the learned Trial Court and the learned Advocate for the petitioner was not present in the Court to cross-examine such witness, though, he was represented.

By filing the instant revisional application, the petitioner has sought for setting aside of the impugned order in so far as it relates to closure of the cross-examination of P.W.3 on behalf of the petitioner.

Having gone through the materials on record as well as the impugned order and on the basis of submission made on behalf of the petitioner as also in the interest of justice, the impugned order in so far as it relates to the cross-examination of P.W. 3 on behalf of the accused Rakesh Mondal deemed to be declined, is set aside.

Learned Trial Court is requested to afford the present petitioner an opportunity to cross-examine the witness i.e. P.W. 3, after the cross-examination of P.W. 4 which is in progress, is over or after the evidence of the prosecution is concluded, as the learned Trial Court deem appropriate.

With the aforesaid directions, the instant revisional application being **CRR 3530 of 2025** stands **disposed of**.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(MD. SHABBAR RASHIDI, J.)