

CRR No. 3294 of 2024

In the matter of : Jharna Tiwari

.....Petitioner

Sk. Toslim Ali

...for the Petitioner

Since the petitioner seeks expeditious disposal of Sessions Trial No. 432 of 2013 pending before the learned Additional Sessions Judge, Fast Track, 3rd Court, Howrah, the matter may be disposed of without service of notice upon the opposite party. The opposite party shall not be prejudiced by an order directing expeditious disposal of the case.

It appears that by a judgment delivered on February 17, 2023, in CRR No. 189 of 2023, a coordinate Bench of this Court directed the learned trial Court to conclude recording of evidence of the 18 witnesses remaining to be examined as on that date within 10 months from the date of communication of the order and take the proceedings to its logical conclusion within one month thereafter upon examining the accused under Section 313 of the Code of Criminal Procedure and examining defence witness, if any. The time limit was directed to be peremptory and mandatory. Despite such direction, it appears that the case is still pending before the learned trial Court.

Learned counsel for the petitioner submits that the Investigating Officer is yet to be examined.

This Court takes serious exception to the conduct of the learned trial Court in violating the earlier direction given by this Court.

Learned trial Court is directed to take the proceedings to its logical conclusion within 2 months from the next date of hearing fixed before him without granting any unnecessary adjournment to either party, in accordance with law.

It is reiterated that the said time frame is peremptory and mandatory.

CRR No. 3294 of 2024 is disposed of accordingly.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh,J)