

12.09.2025
Item No.23
Ct. No. 446
KS

C.R.R. 3756 of 2025

In the matter of: **Surajit Das**

..... Petitioner

Mr. Subhamoy Bhattacharyya

Mr. Shankar Mukherjee

Mr. Shibam Banerjee

....For the Petitioner

1. This instant criminal revisional application has been filed by the petitioner under Section 529 of the B.N.S.S., 2023 for expeditious disposal of ST Case No.3 (6) of 2023 corresponding to Special Case No.85 of 2021 arising out of Bidhannagar North Police Station Case No.156 of 2021 dated 26.07.2021 under Sections 354/ 354A/ 354C/ 447/ 323/ 325/ 506 of the Indian Penal Code read with Section 12 of the POCSO Act now pending before the Court of learned 2nd Additional Sessions Judge, Special Court under POCSO Act at Barasat, North 24 Parganas.
2. It is submitted by the learned advocate appearing for the petitioner being the accused before the learned Trial Court that on the basis of the complaint lodged before the Bidhannagar Police Station, the case was started against him and in the year 2021, the charge-sheet was submitted and the trial has been commenced on 2nd June, 2023 after a period of ten months.
3. Since thereafter, only one witness i.e. the de facto complainant being, the P.W.1 has adduced the evidence only in part and subsequently on the prayer of the prosecution, the further Examination-in-Chief of opposite party no.2 being, P.W.1 was deferred and since thereafter, on several occasions, the dates were fixed for taking evidence of the prosecution witnesses but the witnesses never turned up. As a result, the matter could not be proceeded with.
4. In order to substantiate his contention, learned advocate on behalf of the petitioner has relied upon the orders passed on various dates, which prima facie, shows that no witnesses turned up and on that score, only the next date was fixed for appearance and evidence.

5. It is undisputed that the learned Court is having a number of POCSO cases but, at the same time, the Court cannot be oblivious of the fact that there is an inordinate delay in disposal of the case only on account of not having of the witnesses in time.
6. Having heard the learned advocate appearing for the petitioner and on a careful perusal of the materials on record, as placed before this Court and considering the number of dates already given, the learned Court is directed to make all endeavour to dispose of the case as expeditiously as possible without granting any unnecessary adjournment to either of the parties and taking all such appropriate steps, which may cause hindrance in disposal of the case expeditiously and to take coercive step, if necessary, against the witnesses, who are not turning up despite receiving the summons and also to take other necessary steps so that the evidence can be completed and trial can be concluded. Keeping in view of the fact that the learned Court will adhere to the same will take all necessary steps for expeditious disposal of the case no outer limit for the conclusion of the trial is granted since out of 12 witnesses only the evidence of P.W. 1 is going on.
7. In view of the above observation, the instant criminal revisional application stands disposed of.
8. Let a copy of this order be sent to the learned Trial Court for necessary information and compliance.
9. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(CHAITALI CHATTERJEE (DAS), J.)