

17.09.2025
Item No.13
Ct. No. 446
PG

CRR 3785 of 2025
Osman Mondal & Anr.
Vs.
The State of West Bengal

Mr. Sauradeep Dutta
Mr. Himadree Ghosh

.....For the Petitioners

1. This application has been filed under section 529 read with section 528 of the BNSS, 2023 corresponding to section 483 read with section 482 of the Code of Criminal Procedure, 1973 for expeditious hearing of the proceeding being G.R. Case No. 1539 of 2017 arising out of Tarakeswar Police Station Case No. 244 of 2017 dated 20th December, 2017 now pending before the Court of learned Judicial Magistrate, 3rd Court at Chandernagore, Hooghly.
2. This matter is taken up for hearing without serving any notice upon the opposite parties as the matter is for expeditious hearing and the right of the opposite parties will not be prejudiced.
3. It is submitted that the charge sheet was submitted in this case on 25th April, 2018 under sections 435/34 of the Indian Penal Code against the present petitioners on 11th May, 2018 before the Court of learned Additional Chief Judicial Magistrate, Chandernagore and the matter was transferred to the Court of learned Judicial Magistrate, 3rd Court at Chandernagore, Hooghly on 9th November, 2021 and since thereafter the dates are given at an interval of one year almost and further the matter was not being heard by the learned Court.

4. It is further submitted that the petitioners are senior citizens and since the case is pending against them, they will be highly prejudiced.
5. Heard the submissions and perused the record and also the copy of the order sheets placed before this Court. It goes without saying that the post of learned Judicial Magistrate, 3rd Court at Chandernagore, Hooghly is lying vacant since long and the concerned officer, who is in-charge is heavily burdened with his own case and also in-charge of this Court. At the same time, it cannot be brushed aside that the dates were given in this case almost once in a year as it manifests from the order sheets, e.g. on 1st March, 2023 P.O. was on leave and the case was adjourned and fixed on 24th January, 2024.
6. Furthermore, on 29th April, 2025 date was fixed when again the P.O. was on leave and next date is given on 12th October, 2026.
7. There are eight witnesses, who are to be examined and this long dates given by the learned Charge Court depicts a very sordid state of affair prevailing, which cannot be appreciated.
8. In view of the above facts and circumstances, the learned Charge Court, is directed first to prepone the date, which has been given long after in the month of October, 2026 and fix the matter either in the last part of this year or immediately within the month of February, 2026 and to take all positive steps for fixing the matter for trial and to pass all such necessary orders so that the matter can be disposed of within a reasonable period of time.

9. In view of the fact that regular officer is not posted, no outer time limit is fixed for disposal of the case by the learned Charge Court with the expectation that the learned Charge Court will consider the long pendency of the matter and long dates given and will make all endeavour to dispose of the matter as expeditiously as possible.
10. The above directions shall be complied with by the P.O.-in-Charge so long the regular P.O. is not posted. In the event, the regular P.O. is posted, the said officer is further directed to follow the directions, as mentioned above.
11. With the aforesaid directions, the revisional application stands disposed of.
12. All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Chaitali Chatterjee (Das), J.)