

D/L- 38
17/12/2025
Ct. No.-29
Aritra

CRR 5065 of 2025

**Jharna Tiwari
Vs.
The State of West Bengal**

Mr. Navanil De
Mr. Srinjan Ghosh

....for the petitioner

This is an application wherein the petitioner has prayed for expeditious disposal of S.T. Case No.432 of 2013 presently pending before the learned Additional Sessions Judge, Fast Track Court-III, Howrah.

Learned counsel for the petitioner submits that the F.I.R. of this case was lodged on January 23, 2013 and charge-sheet was submitted on July 29, 2013, thereafter charge was framed on May 7, 2015 and the trial has also started long back.

This Court while deciding the petitioner's prayer for expeditious disposal in CRR No.189 of 2023 made specific direction vide order dated February 17, 2023 that the court below will record evidence of the remaining 18 witnesses within 10 months and thereafter the court will come to a logical conclusion of the case within one month thereafter upon examination of the accused person under Section 313 of the Cr.P.C.

However, the court below in compliance with the said order did not conclude the trial within the specific period. Thereafter, the petitioner again preferred an application with a prayer for direction for expeditious disposal of the proceeding

being CRR No.3294 of 2024 for the second time when this High Court while deciding the said prayer on February 10, 2025 take serious exception to the conduct of the trial court in violating earlier direction given by this Court and thereby this High Court made specific direction to the trial court to take the proceeding to its conclusion within 2 months from the next date of hearing without granting any unnecessary adjournment to either of the parties in accordance with law.

Learned counsel for the petitioner submits that in spite of such specific direction passed about 10 months back the proceeding is still going on and next date is fixed on February 12, 2026 for evidence of the rest witnesses.

It appears from the order dated 28.08.2025 that learned court below has expressed his anguish over the dilatory tactics adopted by the accused person and thereby he rejected prayer for recalling P.W-12 made by the accused persons.

In such circumstances, considering the fact that on earlier occasion this High Court has repeatedly directed the trial court to expedite the trial and to conclude the entire proceeding within a time frame, the instant application being CRR 5065 of 2025 is disposed of with specific direction upon the court below to dispose of the criminal proceeding being S.T. Case No.432 of 2013 within a period of one (1) month from the next date of hearing. The learned court below is further directed to take all measures for day to day trial and for that purpose in order to secure attendance of witnesses as well as accused persons, the court below will be at liberty to

take any coercive step against the person, who are causing delay in disposal of case.

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

(Dr. Ajoy Kumar Mukherjee, J.)