

6.11.2025
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SB
Ct. no. 3

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRR 504 of 2025

**Sri Pawan Mukhia
Vs.
The State of West Bengal & Ors.**

Mr. Sudipto Kumar Majumdar, Sr. Adv.
Ms. Neema Dolma lama
Mr. Yoogen Subba
Mr. Subankar Dutta ...for the Petitioner

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Nilay Chakraborty ...for the State

Learned counsel for the petitioner submits that the impugned proceeding being Siliguri Police Station case no. 83 of 2005 dated 28.3.2005 corresponding to G.R. case no. 246 of 2005 was initiated 20 years back against five accused persons including the present petitioner which is still pending for disposal before the learned Additional Chief Judicial Magistrate, Siliguri. He further submits on earlier occasion, this court had given a direction in CRR 92 of 2021 for early disposal of the said case since it is pending for a considerable period of time. He further submits that the charge-sheet was submitted in this case on 30.11.2025 but the charge hearing has not yet been done. He further submits that he has preferred an application under Section 239 of the Code of Criminal Procedure seeking discharge of the petitioner, as no

allegation has been substantiated against the petitioner during investigation but that application dated 2nd August, 2024 has also not yet been disposed of.

During the course of hearing, learned counsel for the petitioner handed over a copy of the application to the learned Public Prosecutor.

Having heard learned counsel for both the parties, the Trial court is directed to make charge hearing along with the petitioner's application under Section 239 of the Code dated 2nd August, 2024 within a period of four weeks from this date since the case is pending for charge hearing for last 20 years.

The State is directed to make all sorts of cooperation including placing the case diary, if required for the purpose of hearing before the court below.

In view of above, CRR 504 of 2025 thus stands disposed of.

A copy of this order be send to the learned court below through learned Registrar, Circuit Bench at Jalpaguri.

Urgent Photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)