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CRR 197 of 2025

Vinay Saraogi

Vs.

The State of West Bengal

Mr. Mrityunjoy Chatterjee

Mr. Arka Roy

Mr. Debarnab Adhikary

...for the Petitioner

This is an application wherein the petitioner has prayed for expeditious disposal of the proceeding being Sessions Trial Case no. 01(02) of 2022 arising out of Rabindra Sarobar Police Station case no. 180 of 2021 dated 31.10.2021 under Sections 302/307 of the Indian Penal Code, presently pending before the learned Additional District & Sessions Judge, 13th Court, Alipore.

Learned counsel for the petitioner submits that the said criminal proceeding was instituted on 31st October, 2021 and after completion of investigation, police submitted charge-sheet on 6th January, 2022. Thereafter, charge was framed on 18th February, 2022. According to the charge-sheet, the prosecution wants to examine 46 witnesses out of which, they could examine so far only 18 witnesses. He further submits that this court by an order dated 3rd August, 2023 passed in CRR 2792 of 2023, directed the Trial court to fix a schedule in such a manner that at least 50% of the witnesses as relied by the prosecution, be examined by 31st January, 2024. He further submits that even till date, the prosecution could not examine half of the total charge-sheet mentioned witnesses. Therefore,

he prayed for a direction upon the court below for expeditious disposal of the instant proceeding.

Having heard learned counsel for the petitioner, it appears that the prayer made by the petitioner is innocuous and if it is allowed in terms of the prayer made therein, the opposite party will have no cause to prejudice and as such, the service of copy of application upon the opposite party is hereby dispensed with.

Having heard learned counsel for the petitioner and that the accused person is still in custody and that the Trial court has not acted in accordance with the previous direction made by this court on 3rd August, 2023, the prayer made in the instant proceeding is justified and required to be allowed for the ends of justice.

In view of above, CRR 197 of 2025 is hereby disposed of with a direction upon the court below to make every endeavour to expedite the trial and to make his best effort to conduct day to day trial, if possible and will conclude the trial preferably within a period of twelve months from the next date of hearing without granting any unnecessary adjournment to either of the parties.

This order is passed invoking this court's jurisdiction under Section 529 of the BNSS.

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.)