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CRR 1071 of 2026

Smt. Kaberi Das (Ghosh)
Vs.
The State of West Bengal

Mr. Avijit Chakraborty

...for the Petitioner

In this application, the petitioner has prayed for a direction upon the court below for expeditious disposal of G.R. case no. 245 of 2016, presently pending before the learned Judicial Magistrate, 1st Court, Barrackpore under Sections 498A/406/506 of the IPC read with Section 3 and 4 of the Dowry Prohibition Act, 1961.

Being aggrieved by the inordinate delay in disposal of the said proceeding, learned counsel for the petitioner submits that the private opposite party lodged the FIR alleging the offence against the present petitioner as quoted above on 12th January, 2016. After completion of investigation, police has submitted charge-sheet on 31st March, 2016. Since then, for the last ten years, the case is fixed for appearance and the court below has not conducted the charge hearing. On the contrary, the court below has fixed the next date for appearance on 8th February, 2028. Therefore, he prayed for a necessary direction upon the court below for expeditious disposal of the instant application.

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 considered the submissions made on behalf of the petitioner and that more than ten years have already been passed since filing of the charge-sheet but the court below has not yet conducted the charge hearing, I find that the prayer made by the petitioner is justified and required to be allowed to secure the ends of justice.

In view of above, the instant application being CRR 1071 of 2026 is hereby disposed of with a direction upon the court below to prepone the next date and to fix a date in the month of August, 2026 for charge hearing and to conduct the charge hearing on that particular date or within a period of 30 days thereafter. The court below is further directed to make charge hearing within the time fixed and for that purpose, he will be at liberty to split the case record in respect of absconding accused, if any and thereafter will proceed for hearing.

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.)