05.10.2026
Court No.237
Item No. A-28

sg

CRR 2683 of 2026

Akash Harijan
Versus
State of West Bengal & Anr.

Ms. Sangeeta Roy
Mr. Sandeep Prasad Shaw
Mr. Chandra Prakash
Ms. Monalisha Maity
…for the petitioner
Mr. Kallol Mondal, Ld. P.P.
Mr. Subir Ganguly
…for the State

This is an application for expeditious disposal of B.G.R. Case No. 2533 of 2020 arising out of Maheshtala Police Station Case No. 360 of 2020 dated July 9, 2020 under Section 379 of the Indian Penal Code.

It appears that there are three accused persons in this case. The petitioner before this Court is one of the accused.

When the matter was listed for hearing on April 28, 2024, the learned Magistrate in the court below passed an order for issuance of summons upon some of the accused persons and fixed the next date of hearing on December 26, 2024.

It was submitted before this Court that when the learned Advocate-on-Record had personally inspected the case record, had found that thereafter no date had been fixed for hearing by the learned Magistrate.

Accordingly, this Court directed the learned Registrar General to file a report before this Court. The explanation furnished by the learned Magistrate is reproduced below:

"Accordingly, the record was placed before me and was thoroughly inspected. Upon inspection, it appeared from the record that the matter was last fixed on 26.12.2024 and that thereafter no further order had been passed in the record.

On being asked in this regard, the concerned GRO informed me that, following the demise of the learned Advocate appearing for the accused, no one thereafter moved the matter and, consequently, the record was not put up before the Court.

I have accordingly directed the concerned GRO to take immediate steps for regularization of the record and have also called for a report from him in this regard. The report submitted by the concerned GRO is enclosed herewith for Your Honour's kind perusal and record.

I sincerely regret the lapse in the matter and tender my sincere apology before the Hon'ble Court for such act and omission on my part. I assure Your Honour that due care shall be taken to ensure that such an occurrence does not recur in future."

I refrain myself from making any comments on the explanation as furnished by the learned Magistrate.

I only direct the learned Magistrate in the court below to take necessary steps so that the charge hearing of the case is concluded as expeditiously as possible, preferably within a period of six months from the date of communication of this order.

Accordingly, CRR 2683 of 2026 stands disposed of.

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

(Kausik Chanda, J.)