

In Re: **Shyamal Kundu & Anr.**

...petitioner

Mr. Debnath Ganguly,
Mr. Supriyo Dutta.

.... For the petitioner.

The instant revisional application has been filed seeking direction upon the learned Trial Court for expeditious disposal of the G.R. Case No.2153 of 2020 pending before the 3rd Judicial Magistrate, South 24 Parganas.

It is submitted by the learned Advocate for the petitioner that case was initiated in the year 2020 by Tala Police Station Case No.81 of 2020 dated August 29, 2020. The police took up investigation and a charge-sheet was submitted on October 31, 2020 under Section 324/114 of the Indian Penal Code.

The case has been adjourned several times for non-appearance of the prosecution witnesses. It is also submitted by the learned Advocate for the petitioner that the de facto complainant himself did not turn up for which learned Trial Court had to issue a warrant of arrest against him. The charges in the case stood framed in the year 2024 and the case has been fixed for recording evidence of the prosecution. However, the prosecution witnesses including the de facto complainant himself did not turn up for recording their statement and witness warrants were issued. The conduct on the part of the prosecution has delayed the trial of the G.R. case No.2153 of 2020 to prejudice of the petitioner accused persons.

In such circumstances and upon going through the materials of the application it would be appropriate to request the learned 3rd Judicial Magistrate, Sealdah to try and dispose of G.R. Case No.2153 of 2020 as early as possible without granting unnecessary adjournments to either of the parties. No doubt in doing so, the learned Magistrate shall take all legal steps to secure the attendance of the prosecution witnesses.

With such observation CRR 5473 of 2025 is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(MD. SHABBAR RASHIDI, J.)