

D/L310
04.12.2023
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C.R.R.4488 of 2023

In Re: An application under Section 482 read with Section 401 of the Code of Criminal Procedure, 1973;

Piyarul Malitha and others
Versus
The State of West Bengal

Mr. Snehasish Ghosh
Ms. Chandrima Debnath.
...for the petitioners.

Ms. Manisha Sharma.
...for the State.

Petitioners are directed to serve a copy of the revisional application upon Ms. Manisha Sharma, learned advocate, who ordinarily appears on behalf of the State. Her appearance may be regularised by the concerned authorities.

Learned advocate appearing for the petitioners submits that the petitioners are in custody for two years and four months and till date after framing of the charges, only two witnesses, out of 13 cited witnesses in the charge-sheet, have been examined.

Having considered the detention of the petitioners and the agony so expressed by the petitioners, I am of the view that the same is justified. Accordingly, learned Magistrate would fix at least a schedule consisting of three dates and such schedule must be fixed on each and every month so that the trial of the case can be taken to its logical conclusion within a very reasonable period of time.

No unnecessary adjournment should be granted to either

of the parties. In case any witness is not cooperating with the learned trial court and is reluctant to appear, learned special court would be at liberty to communicate with the Superintendent of Police of the concerned district who would take steps for ensuring the presence of the witnesses. The public prosecutor conducting the case would ensure regarding the production of the materials, exhibits and documents available on the dates so fixed for examination of the witnesses. All stakeholders would co-operate with the learned trial court so that the trial is concluded at the earliest.

With the aforesaid observations, CRR 4488 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

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

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

(Tirthankar Ghosh, J.)