

**S.L.1.
26.11.2025
Bd.
Ct. 29**

**CRR 5123 of 2025
Central Bureau of Investigation**

**Vs.
Goutam Mondal & Ors.**

**Mr. Dhiraj Trivedi, DSG.
Mr. Amajit De ... for the petitioner/CBI.**

**Mr. Debasish Roy
Mr. Rudradipta Nandy ... for the State.**

Leave to add the State of West Bengal as party in the cause-title of the application is granted.

This is an application wherein petitioner has challenged the impugned order dated 28.10.2025 by which the court below rejected the petitioner's prayer for re-examination of witness.

Being aggrieved by that order learned counsel for the petitioner/CBI Mr. Trivedi, submits that this Court by an order dated 03.09.2025 while disposing of WPA 29425 of 2014 had given a direction to the Chief Judicial Magistrate, Bankura, to conclude the recording of the evidence on day to day basis and thereafter dispose of the case no. 36C of 2014 as expeditiously as possible without granting any adjournment to either of the parties and to submit a report of such conclusion of the entire proceedings to this Court by 19th December, 2025.

Learned court below in the impugned order observed that since this High Court has directed to dispose of the case in a time bound manner, allowing CBI's such prayer would tantamount to non-compliance of the order of the High Court and accordingly he rejected the prayer made by the learned Public Prosecutor appeared on behalf of the CBI.

Mr. Trivedi, submits that on the said day the Public Prosecutor filed separate petition to issue coercive process to compel appearance of charge-sheeted witnesses nos. 2, 18 and 19. The court below without considering the same confined himself with the direction made by this High Court for expeditious disposal and thereby caused miscarriage of justice.

Upon hearing learned counsel for the petitioner, the application is admitted.

Petitioner is directed to serve a copy of the application upon the opposite parties intimating next date of hearing and to file affidavit of service on the returnable date.

Learned counsel for the petitioner/CBI further submits that the date for delivery of judgment is fixed on 27th November, 2025. Accordingly he prays for short stay of the impugned proceeding.

Having heard learned counsel appearing on behalf of the petitioner and that the petitioner has made out an arguable case, which requires adjudication on merit, it is ordered that the trial court shall not deliver judgment of the instant case for a period of 3 (three) weeks from date or until further order, whichever is earlier.

Let the matter be listed under the heading "Contested Application" ten (10) days hence.

(Dr. Ajoy Kumar Mukherjee, J.)