

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).2605/2012

(From the judgement and order(s) in CRM No.40/2012 dated 03-JAN-12 of The HIGH COURT OF CALCUTTA)

HARDEEP SINGH @ VICKY

Petitioner(s)

VERSUS

STATE OF WEST BENGAL

Respondent(s)

(With appln(s) for bail)

Date: 09/04/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AFTAB ALAM
HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI

For Petitioner(s) Mr. Pijush K. Roy, Adv.
For Mr. Mithilesh Kumar Singh, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

Issue notice.

Permission is granted to file additional documents.

The petitioner is facing trial on a charge under Section 307 of the Penal Code. In connection with the case he is in jail from April 17, 2010.

From the special leave petition it appears that the informant of the case, namely, Vishal Agarwal, was produced before the Additional Sessions Judge, F.T.C-II, Alipore, 24 Parganas(South) for his examination as PW-1 in ST No.1(11)2010 on January 28, 2011.

On that date, he was examined very briefly and then the examination-in-chief was "deferred at the prayer of the prosecution by petition". He again appeared on March 3, 2011 and was examined briefly and once again his examination-in-chief was "deferred at the prayer for the prosecution by petition". He again appeared on April 7,

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2011 and once again his examination-in-chief remained inconclusive and it was "deferred at the prayer of the prosecution by petition". In other words, over a period of more than two months, his examination-in-chief remains incomplete.

We are at a loss to understand the way the trial is being conducted in this case.

Call for a report from the trial court as to why the trial is being conducted in this manner.

Let a copy of this order be also sent to the Registrar General of the Calcutta High Court for his comments on the way the trial is proceeding before the trial court.

Both the report and the comments from the Registrar General should reach this Court within four weeks from today.

Put up along with the reports.

(Neetu Khajuria)
Sr.P.A.

(Sneh Bala Mehra)
Court Master