

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).3244/2012

(From the judgement and order dated 30/01/2012 in CRM No.937/2012 of The HIGH COURT OF CALCUTTA)

SANJIB KUMAR @ GOLU

Petitioner(s)

VERSUS

STATE OF WEST BENGAL

Respondent(s)

(With appln(s) for bail and office report)

Date: 17/09/2012 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. Jay Kishor Singh, Adv.

For Respondent(s) Mr. Chanchal Kr. Ganguly, Adv.
For Mr. Abhijit Sengupta, Adv.

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

The petitioner is seeking bail in Bowbazar P.S. FIR No.652, dated 10.10.2010, under Sections 489B and 489C read with Section 120B of the Penal Code (giving rise to Sessions Case No.09/2011) pending before the Additional District & Sessions Judge, Fast Track Court No.II, Bichar Bhawan, Calcutta.

He is in jail since October 10, 2010.

On the previous date, we had asked for a report from the trial court as to when the trial is expected to be completed. The report dated September 11, 2012 of the Additional District & Sessions Judge, Fast Track Court No.II, Bichar Bhawan, Calcutta, is received and it presents a disquieting state of affairs.

The charge-sheet in the case was submitted on January 6, 2011 and it cited 10 witnesses. The charges were framed on September 23, 2011 but from the report of the trial court it appears that so far not a single witness has been examined. The report concludes by saying:

"The trend goes to suggest that at least one year time would be required to conclude the trial - if the State as well as the Learned Advocate extend full cooperation."

Emphasis added

From the report, it appears that the trial is proceeding in a rather directionless manner and the Presiding Officer does not seem to have any effective control over the proceedings.

We presume that this is not the typical but an isolated case and the other criminal cases in the State proceed in a more effective and meaningful manner.

We should like the trial in this case to conclude within six months from today but we are not sure that the trial court would be able to do so. We, therefore, wish that the High Court

Registry should look into the matter and ensure that the trial is concluded, as observed above.

Let a copy of this order and the report from the trial court be sent to the Registrar General of the High Court, who is directed to bring the matter to the notice of the Chief Justice of the High Court.

With these observations the special leave petition is dismissed.

| (Neetu Khajuria)

| (Sneh Bala Mehra)

|
| Sr.P.A.

| Court Master

|