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Ct.05

CRR 1632 of 2020

Smt. Rita Sen
Vs.
The State of West Bengal and Another

Mr. Kamalesh Chandra Saha
Ms. Payel Mitra
...for the petitioner

An application under Section 127 of the Code of Criminal Procedure which was registered as Misc. Case No.125 of 2018 is pending before the learned Chief Judicial Magistrate, Barasat since 17th July, 2018.

During more than two years the learned Magistrate did not find time to conclude hearing of the matter. On the contrary, series of dates were put in the record only to procrastinate the hearing of the application under Section 127 of the Code of Criminal Procedure adding to the woe and plight of the petitioner.

I am of the view that if the instant revisional application is disposed of even without notice to the other side, they will not be prejudiced.

Accordingly, the instant revision is disposed of directing the Chief Judicial Magistrate,

Barasat to dispose of the application under Section 127 of the Code of Criminal Procedure in contested manner by March, 2021.

If the opposite party fails to participate in the hearing, the learned C.J.M., Barasat is at liberty to dispose of the application ex parte.

Accordingly, the revisional application is disposed of.

(Bibek Chaudhuri, J.)