

07.07.2021

Item no.13

Ct. No.34

CHC

C.R.R. No.148 of 2019
IA NO: CRAN/1/2020 (Old No: CRAN/435/2020)

(Via Video Conference)

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

AND

In the matter of:-

Mukuleswar Chattopadhyay
@ Mukul Chatterjee & anr.
... petitioners

Mr. Ayan Bhattacharjee,
Mr. Aditya Ratan Tiwary
...for the petitioners

Mr. Swapan Banerjee, Sr. Advocate
Mr. Suman De
...for the State

The present revisional application has been preferred challenging the proceeding arising out of G.R. Case No.8339 of 2017, pending before the learned 3rd Judicial Magistrate, Barrackpore.

Mr. Bhattacharjee, learned advocate appearing for the petitioners has submitted list of dates which reflects that the petitioner no.1 has preferred an application under Section 239 of the Code of Criminal Procedure for discharging him which was dismissed by the learned Judicial Magistrate.

A liberty has been prayed for by Mr. Bhattacharjee for preferring an application under Section 239 of the Code of Criminal Procedure on behalf of the petitioner no.2 before the learned Judicial Magistrate. In case such application under Section 239 of the Code of Criminal Procedure is preferred by the petitioner no.2, namely, Bibek Chatterjee @ Vivek Chattopadhyay, learned Judicial Magistrate will consider the same in accordance with law.

Mr. Banerjee, learned Senior Advocate appearing for the State submits the Case Diary. Let the Case Diary be returned.

Petitioner is directed to prefer such application under Section 239 of the Code of Criminal Procedure within three weeks from date before the learned Judicial Magistrate, 3rd Court, Barrackpore.

Learned Magistrate is directed to dispose of the said application within a period of 60 (sixty) days from the date of filing of the application.

With the aforesaid observations, C.R.R.148 of 2019 is disposed of. Pending applications, if any, are consequently disposed of.

Interim order, if any, is hereby vacated.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)