

Sr.17
04-08-2021
Subha.
Court no. 34

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE
(Via Video Conference)**

CRR 205 of 2012

In the matter of : **M/s. Twadanya Credit Capital Pvt. Ltd.**
.....Petitioner.

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

Ms. Devipriya Mitra
.....for the petitioner.

The revisional application was preferred at the instance of the complainant in respect of the proceedings pending before the learned Judicial Magistrate, 5th Court, Alipore, South 24 Parganas in connection with Complaint Case No. C/404 of 2003.

The said complaint is pending for more than 18 years and the subject matter relates to warrant of arrest being issued by the learned Magistrate and the same being set aside by the learned Sessions Court.

Having regard to the period for which the present revisional application is pending before this court and the issues so involved, I am of the view that the complaint case should be tried on merits.

Accordingly, I direct the learned Judicial Magistrate, 5th Court, Alipore to issue process against all the seven

accused persons who have been named in the complaint. The learned Magistrate in the respective cases would be at liberty to consider the applications under Sections 305/205 of the Code of Criminal Procedure. However, the learned Magistrate on the score of appearance of the accused should not grant time repeatedly to the accused persons on any frivolous plea. The learned Magistrate after completion of appearance of all the accused persons within a period of sixty days should proceed to the stage of evidence before charge.

Needless to state that the accused persons have been successful in dragging the case for more than 15 years. The learned Magistrate is further directed that dates in connection with the instant complaint case should be fixed on regular intervals and the said case should be taken to its logical conclusion without granting any unnecessary adjournment to either of the parties.

With the aforesaid observations, the present revisional application being CRR 205 of 2012 is disposed of.

All pending applications, if any, are consequently disposed of.

Interim order, if any, is hereby vacated.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

(Tirthankar Ghosh, J.)