

09.09.2021
Ct. No. 29
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CRR 294 of 2010

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

and

In Re : Anil Sharma & Ors. petitioners

This criminal revisional application is fixed up today for hearing.

On call none appears for the petitioners as well as the opposite parties.

The revisional application under Section 482 of the Code of Criminal Procedure has been preferred by the petitioners praying for quashing of the proceeding in Complaint Case No. 654 of 2007 bearing T.R. No. 409 of 2007 under Sections 498A/34/506/120B of the Indian Penal Code pending before the learned Judicial Magistrate, 6th Court, Asansol.

It is, inter alia, contended by the petitioners that the impugned proceeding is a gross abuse of the process of the Court if it is allowed to continue, it is harassing in nature and it is expedient in the interest of justice to quash the impugned proceeding.

I have perused the application for revision and order passed by the learned Judicial Magistrate on 22.07.2008. It

appears therefrom that the process/summon was issued upon the accused persons to appear before the Court.

The present petitioners have come before this Court praying for quashing the criminal proceeding pending before the learned Judicial Magistrate, 6th Court, Asansol.

I think that there is no justification in interfering with the impugned order or the complaint case pending before the learned Magistrate. It also appears that no affidavit-of-service upon the opposite parties has been filed by the petitioners in this case.

Accordingly, the revisional application being CRR No. 294 of 2010 is dismissed on merit.

Stay of further proceedings in this case which was in force till March 17, 2010 has already vacated with passage of time.

Let a copy of this order be sent to the court of the learned Judicial Magistrate, 6th Court, Asansol, with a direction to commence the trial of the case if not the same is not taken up earlier.

Urgent photostat certified copy of this order, if applied for, be supplied to the applicants expeditiously after complying with all necessary legal formalities.

(Ananda Kumar Mukherjee, J.)

