

10.09.2021
tkm/ct 29
sl no. 6

C.R.R. No. 380 of 2010
(Via video conference)

In Re : Asit Baran Ghosh & Anr.

.....petitioners

Mr. Rana Mukherjee
Mr. Pravas Bhattacharya

..... for the State

The matter is fixed today for hearing as “Contested Application”.

Mr. Rana Mukherjee and Mr. Pravas Bhattacharya, learned advocates appear for the State. Concerned authority is requested to regularize their appointment in the matter.

None appears for the petitioners.

Affidavit of service upon the opposite party is not found in the case record.

On perusal of record it appears that the operation of order passed by the learned Executive Magistrate in MP case no. 215 of 2009 was stayed for a period of eight weeks from 11.2.2010.

Learned advocate for the State submits that the petitioners approached this court invoking the inherent jurisdiction under section 482 Cr.P.C for quashing of MP Case no. 215 of 2009 in which the direction passed by the learned Executive Magistrate on 6.3.2009 has outlived its statutory life under section 144(4) Cr.P.C.

Considering the case record I found that the order passed by the learned Executive Magistrate Hooghly (Sadar) on 6.3.2009 cannot continue beyond 60 days. Accordingly, pending proceeding,

being M.P case no 215/2009 is infructuous and the same is quashed.

Interim order of stay, if any, stands vacated.

Criminal revision under section 482 CR.P.C is dismissed on merit.

Let copy of this order be sent to the court of learned Executive Magistrate, Hooghly (Sadar) for information.

Urgent photostat certified copy of this order be given to the parties upon compliance of requisite formalities.

(Ananda Kumar Mukherjee, J.)