

IN THE HIGH COURT AT CALCUTTA

Criminal Revisional Jurisdiction

Before:

The Hon'ble Mr. Justice Jay Sengupta

C.R.R. 475 of 2021

Saptarshi Ghosh Chowdhury & Ors.

Vs.

Moulani Ghosh Chowdhury & Anr.

For the Petitioners : Mr. Priyam Misra.

For the State : Mr. Imran Ali,
Mr. Mirza Firoj Ahmed Begg.

Heard on : 23.02.2021

Judgement on : 23.02.2021

Jay Sengupta, J. :

This is an application seeking an expeditious disposal of a proceeding in which a charge sheet was submitted under Sections 406 and 498A of the Penal Code.

Let a copy of this application be served upon Mr. Imran Ali and Mr. Mirza Firoj Ahmed Begg, learned Counsels who ordinarily appear on behalf of the State and are present in Court today. Their engagement may be regularised by the competent authority of the State in due course.

Learned Counsel appearing on behalf of the petitioners submits as follows. The petitioner no.1 is the husband of the de facto complainant and the petitioner nos.2 and 3 are the parents in law of the de facto complainant. The petitioner no.1 is a software professional and has to frequently visit other countries in connection with his job. After coming to know about the impugned proceeding, the passport of the petitioner no.1 has been impounded. The impugned proceeding has remained pending for no fault of the part of the present petitioner. In the interest of justice, a direction may be passed to expedite the proceeding.

Learned Counsel appearing on behalf of the State submits that no order passed in the present proceeding has led to the alleged impounding of the passport. However, in the interest of justice, the impugned proceeding may be expedited.

I have heard the submissions of the learned Counsels appearing on behalf of the petitioners and the State and have perused the revision petition.

No prejudice will be caused to anyone, if an order is passed as regards an expeditious disposal of the proceeding.

It appears that the impugned proceeding was initiated in March, 2018. A charge sheet was submitted in 2018 itself, quite in time. However, the proceeding seems to have remained pending primarily due to the onset of the Covid-19 pandemic.

It also does not appear that the alleged impounding of passport of the petitioner no.1 has taken place in pursuance of any order passed in the impugned

proceeding. The petitioner is always at liberty to seek an appropriate relief before the appropriate forum.

However, since the matter is pending since March, 2018, it is expected that the learned Trial Court will take appropriate measures to conclude the proceeding as expeditiously as possible without granting any unnecessary adjournment to any of the parties.

With these observations, the revisional application is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)