

25.08.2021
Item no.10
Ct. No.34
CHC

C.R.R. No.961 of 2012
(Via Video Conference)

In Re: An application under Sections 401 and 482 of the Code of Criminal Procedure.

AND

In the matter of:-

Mst. Insarul Bibi
... petitioner

The revisional application was preferred against the order dated 25th of January, 2012 passed by the learned Additional Sessions Judge, Fast Track Court-II, Tamluk, Purba Medinipur in Criminal Revision No.1610 of 2011.

Learned Additional Sessions Judge while considering the revisional application which was in respect of the grievance of the petitioner so far as the examination of the Doctor is concerned observed as follows:

“On the face of the materials in L.C.R, I find that the revisionist as Petitioner/complainant initiated C.R. Case no 521/02 against the accused persons/respondents The petitioner adduced oral evidence by testifying herself and other four witnesses and the Ld Court below after closing the case of the petitioner fixed for examination of accused persons u/s 313 cr.p.c on 27.3.06 but thereafter a petition u/s 311 of cr.p.c filed on behalf of the complainant on 3.11.08 and after due

consideration the same was allowed by the court below. Thereafter ten adjournments were allowed by the court below and on 22.7.11 i.e 11th day of adjournment the court below after considering the facts and circumstance and the submission of both sides and also considering that the summons was issued upon the witness who was already examined as P.W5 rejected the prayer of the complainant for further evidence and fixed 19.8.2011 for argument. It further transpires that the instant case has been initiated on 13.05.02 but it is unfortunate that the same is still pending for some how or other. The latches on the part of the revisionist is very much apparent on the face of the L.C.R and the petition for adjournment was nothing but a delaying tactics under device.”

Having regard to the observation so made by the learned sessions court on perusal and consideration of the records of the case, I am of the view that there is no illegality in the order passed by the learned court below and as such, no interference is called for.

Thus C.R.R.961 of 2012 is dismissed.

Pending application, if any, is 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.)