

14.12.2021
sl.08,sk
ct.29

C.R.R.850 of 2010

In the matter of Uma Nandipetitioner.

Ms. Sreyashee Biswas
.....for the O.P.Nos. 1 to 4.

Mr. Binay Kumar Panda
Mr. Pravas Bhattacharyya
...for the State.

None appears on behalf of the contesting parties in this revisional application.

Mr. Binoy Kumar Panda along with Mr. Pravas Bhattacharyya, learned Advocates who usually appear on behalf of the State are requested to appear in this revisional application.

Learned Legal Remembrancer, Government of West Bengal is requested to regularize the appointment of Mr. Binoy Kumar Panda and Mr. Pravas Bhattacharyya learned advocates in due course.

The learned Advocates appearing on behalf of the opposite party nos. 1 to 4 as well as the State are present.

It is submitted that for long thirteen years, the petitioner is not taking any steps. Learned Advocate for the opposite party nos. 1 to 4 submits that the opposite party no. 2, Smt. Minati Nandi died. In the meantime, one photocopy of the death certificate as filed is taken on record.

This revisional application is directed against the judgment and order passed on 7th December, 2009 by the learned Judicial Magistrate, First Class, 3rd Court, Ranaghat, Nadia in connection with G.R.Case No. 1388 of 2005 thereby acquitting the private opposite party from the charge under Sections 498A/406/34 of the Indian Penal Code. It has been alleged that the learned Magistrate could not evaluate the evidence properly and came to an erroneous finding.

After careful perusal of the judgement as well as the evidence on record, I find that the learned Magistrate discussed the evidence elaborately and found no evidence regarding either torture or alleged demand of money.

On careful perusal of the entire judgement, I find there is no scope to interfere with the said judgement in which there is no illegality or irregularity.

Considering the long absence of petitioner and the judgement assailed the revisional application, I find that the prayer of the revisional application is not tenable in law and liable to be dismissed. Thus, the revisional application is being dismissed and stands disposed of accordingly.

The lower court records be sent down to the learned court below immediately.

(Bibhas Ranjan De, J.)