

Sr. 18
22-07-2021
Subha.
Court no. 34

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE
(Via Video Conference)**

CRR 1361 of 2012

In Re : **Sarika Jhunhunwala**

.....Petitioner.

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

Mr. Angshuman Chakraborty

.....for the petitioner.

The subject matter of challenge before this court is in respect of a notice issued by the learned Magistrate thereby directing the petitioner to appear on 2nd April, 2012 in respect of an application under Section 126(2) of the Code of Criminal Procedure which was filed in connection with Misc. Case No. 04 of 2012 thereby praying/setting aside the ex parte order dated 15th September, 2011 which was passed by the learned Judicial Magistrate, 6th Court, Sealdah in connection with M.138 of 2010.

Records of the present revisional application reflect that the matter was preferred in the year 2012 and there was no interim order. Further no progress of the case before the

learned Judicial Magistrate could be apprised to this court, today, when the matter has been taken up. The provisions of Section 126(2) of the Code of Criminal Procedure being a statutory provision I do not find any illegality in the order passed by the learned Magistrate in issuing notice over the same.

Thus, no interference is called for at this belated stage.

However, the learned Magistrate is directed that in case the said application under Section 126(2) of the Code of Criminal Procedure has been disposed of, the order passed in this revisional application may be ignored.

As such, the present revisional application being CRR 1361 of 2012 is disposed of.

All pending applications, if any, are consequently disposed of.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

(Tirthankar Ghosh, J.)