

Sr.26
07-09-2021
Subha.
Court no. 34

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

CRR 1621 of 2012
IA No. CRAN 2/2013(Old CRAN 155/2013)

In the matter of : Rituparna Chakrabortypetitioner.

In Re : An application under Section 482 read with Section 401 of the Code of Criminal Procedure.

The revisional application was preferred challenging the order dated 16th March, 2012 passed by the learned Additional District & Sessions Judge, 3rd Fast Track Court, Alire, South 24 Parganas in Criminal Motion No. 425 of 2010 wherein the learned court was pleased to affirm the order dated 29th July, 2010 passed by the learned Judicial Magistrate, 9th Court, Alipore in connection with C.G.R Case No. 609 of 2007.

The subject-matter of the revisional application relates to an application preferred under Section 242(3) of the Code of Criminal Procedure. The provisions of Section 242 of the Code of Criminal Procedure refers to evidence for prosecution.

Having regard to the provisions which are exclusively the domain of the learned trial court, the appreciation by higher court has become irrelevant as the trial court in such circumstances are exclusively in seisin of a matter. As the petitioner has not been able to show that there has been any gross illegality or any act or action taken by the learned Magistrate has caused miscarriage of justice, I am of the view that no interference is called for by this court. Further, the jurisdiction of this court has been exercised after the revisional jurisdiction has been exhausted before the learned Sessions Judge. As no question of law is involved in this case, it would not be fit and proper for any interference by this court at this belated stage when there has been no interim order in respect of the proceedings for over more than seven and half years.

Accordingly, the present revisional application being CRR 1621 of 2012 is dismissed.

All pending applications, if any, in connection with revisional application, are consequently disposed of.

Interim order, if any, is hereby vacated.

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

(Tirthankar Ghosh, J.)