

Sr.28
07-09-2021
Subha.
Court no. 34

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

CRR 1628 of 2012

In the matter of : Chitta Ranjan Das & ors.petitioners.

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

The revisional application has been preferred against the order dated 26th March, 2012 passed by the learned Executive Magistrate, 2nd Court, Alipore in M. P. Case No. 2849 of 2011.

The said proceedings arose out of Section 107 of the Code of Criminal Procedure.

Having regard to the fact that the said application was pending for more than 9 months before the learned Executive Magistrate and there was an interim order passed by this court in the year 2013 which was extended till 2014, I am of the view that there has been change of circumstances as the application under Section 107 of the Code of Criminal Procedure was preferred in the year 2011.

Further continuance of the M. P. Case No. 2849 of 2011 is unwarranted and is an abuse of process of court. As such, the same is quashed.

Accordingly, the present revisional application being CRR 1628 of 2012 is allowed.

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.)