

**CRR 1679 of 2021
(Through Video Conference)**

In Re: - An application under Sections 401 and 482 of the Code of
Criminal Procedure, 1973
And

In the matter of: Anupam Ghorai & Ors.

.... Petitioners

Mr. Sandip Kundu,
Mr. Monoranjan Jana

...For the Petitioners

Mr. Gouranga Kumar Das

...For the Opposite Party Nos. 2 & 3.

The petitioners obtained an order from the Court of the learned Sub-Divisional Executive Magistrate, Kakdwip, under Section 144 (2) of the Code of Criminal Procedure, 1973 on June 28, 2021. The said order was, subsequently, allowed to be continued by the learned Magistrate by his order dated July 13, 2021.

The opposite parties challenged the said order dated July 13, 2021 before the learned Additional Sessions Judge, 1st Court at Kakdwip, South 24 Parganas, by filing a revisional application being Criminal Revision No. 10/2021.

The learned Additional Sessions Judge in the Court below by the order dated August 4, 2021 stayed the operation of the order dated July 13, 2021, and fixed the matter on September 24, 2021.

It has been submitted by the learned advocate for the petitioner, that the learned Sessions Judge was not justified in staying the operation of the learned Executive Magistrate since the petition has

relevant documents to show their right, title and interest over the land in question.

Learned advocate appearing for the opposite party nos. 2 & 3 submits that the disputes between the parties are purely civil in nature and force of the order dated August 4, 2021, has expired due to the time limit prescribed under Section 144(2) of the Code of Criminal Procedure, 1973.

Since the order impugned is interim in nature, I am not inclined to interfere with the said order at this stage. The parties will be at liberty to take all points available to them before the learned Sessions Judge in the Court below.

This revisional application is disposed of with a direction upon the learned Sessions Judge in the Court below to dispose of the said application within a period of one month from date without being influenced by any observations made in this order.

C.R.R. 1679 of 2021 is disposed of.

All parties shall act upon the server copy of this order duly downloaded from the official website of this Court.

(Kausik Chanda, J.)