

**CRR 1766 of 2021
(Through Video Conference)**

In Re: - An application under Section 482 read with Sections 397/401 of the Code of Criminal Procedure, 1973

And

In the matter of: **Smt. Lakhi Kumari Shaw**

.... Petitioner

Mr. Mit Guha Roy

...For the Petitioner

The grievance of the petitioner is that, the Execution Case No. 07 of 2018 filed by her in connection with a proceeding under Section 125 (3) of the Code of Criminal Procedure, 1973, has not yet been concluded.

The petitioner submits that in spite of a warrant of arrest being issued against the petitioner, no effective steps were taken by the police to ensure its execution and secure the presence of the husband/opposite party no. 2, during the course of the proceeding.

It appears that, for the last one year, warrant could not be executed against the opposite party no. 2 and such delay in execution is affecting the sustenance of the petitioner.

In that view of the matter, this revisional application is disposed of with a direction upon the learned Judicial Magistrate, 2nd Court, Alipore to take necessary steps for execution of the warrant, and in the event, the warrant is not executed by the police, the learned

Judicial Magistrate will take steps in terms of Sections 82 and 83 of the Code of Criminal Procedure, 1973.

Since no adverse order has been passed against the opposite party no. 2 in this revisional application, the same is disposed of without giving notice upon the opposite party no. 2.

The revisional application being **CRR 1766 of 2021** is, thus, 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.)