

CRR 1755 of 2021

In re : An application under Section 483 read with Section 482 of the Code of Criminal Procedure, 1973.

In the matter of : **Bhaskar Ghosh**

..... petitioner

Mr. Aniruddha Bhattacharyya

.....For the petitioner

Ms. Sukanya Bhattacharyya

.....For the State

Ms. Sukanya Bhattacharyya, learned advocate, who generally appears for the State, is requested to appear in this matter for the State. Let her appointment be regularized.

In this case, the investigating agency filed a final report in connection with a criminal case being Ballygunge Police Station Case No. 60 of 2018, dated April 21, 2018 under Sections 406/420/506/120B of the Indian Penal Code, 1860, against the accused persons who are the opposite party nos. 2, 3 and 4 in this revisional application.

Being aggrieved with the investigation, the petitioner/de-facto complainant filed an application under Section 173(8) of the Code of Criminal Procedure, 1973, before the learned Chief Judicial Magistrate, Alipore.

It is the grievance of the petitioner, that though the said petition was filed way back in December 20, 2018, till date, the said application has not yet been disposed of on merit.

I am of the view that due to the intervening pandemic situation, learned Magistrate in the Court below was not expected to proceed with the case pending before him at a normal pace. However, in view of the fact that the said application is pending

for a long period of time, this revisional application is disposed of with a direction upon the learned Chief Judicial Magistrate to decide the said application on merit within a period of three months from date.

If the learned Magistrate feels necessary, he may prepone the next date of hearing fixed on December 9, 2021.

Since the opposite party nos. 2, 3 and 4 shall not be prejudiced by this order, this revisional application is, thus, disposed of without giving notice to them.

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

(Kausik Chanda, J.)