

CRM 6044 of 2021
(Via video conference)

In Re: Application for Bail under Section 439 of the Code of Criminal Procedure.

And

In the matter of : Tapan Kumar Ghosh @ Tapan Ghosh
.....Petitioner

Mr. Apurba Dutta
Mr. Joyjit Roy Choudhuryfor the Petitioner

Mr. S.S. Imam
Mr. S. Kundufor the State

This application has been preferred in respect of execution cases wherein orders were passed by the Learned District Consumer Disputes Redressal Forum, South 24 Parganas.

I find that the execution cases range from the year 2015 to 2018. None of the orders have been enclosed regarding the quantum which has been directed to be paid to the applicants in the judgments delivered by the forum.

Further on query, the learned advocate for the petitioner submits that no appeal has been preferred till date. If any modification or alteration are to be done, the same is by the appellate court or the courts dealing with matters relating to tribunals, this court under Section 439 of the Code of Criminal Procedure cannot release a person where execution cases are pending.

Having regard to the huge number of cases pending against the present petitioner, I am of the view that the petitioner cannot be released on bail on two grounds, firstly, the

application is misconceived and secondly, the application itself lacks transparency for this court to exercise its jurisdiction.

Accordingly, CRM 6044 of 2021 is dismissed.

Pending application, if any, is consequently disposed of.

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

(Tirthankar Ghosh, J.)