

10.12.2021

Ct. 29

Sd./47

CRR 2098 of 2021

Jaya Banerjee @Jaya Banerhee
vs.
State of West Bengal

Mr. Sankar Banerhee
..For the petitioner.

Mr. Narayan Prosad Agarwal
Mr. Pratik Bose ..For the State.

Heard learned counsel appearing for the parties.

Mr. Narayan Prosad Agarwal and Mr. Pratik Bose, learned advocates who generally appear for the State respondent are requested to appear in this matter.

Learned Public Prosecutor is requested to regularize their appointment.

This revisional application was filed by the petitioner under section 23(2) of the Protection of Women from Domestic Violence Act, 2005 against her husband, opposite party no. 2 which was filed before the learned Additional Chief Judicial Magistrate, Bidhannagar, 24-parganas (N) being case no.C- 3387 of 2019.

It is now submitted on behalf of the learned advocate for the petitioner that opposite party no. 2 of this revisional application had filed an application under section 410 Cr.P.C before the learned Chief Judicial Magistrate, Barasat with the allegation that the learned Judicial Magistrate was biased towards the petitioner by

giving short dates intentionally in order to give benefit to the respondent/complainant.

The instant revisional application has been filed being aggrieved by and dissatisfied with the initiation of the proceeding being case no.C.M.C No-04 of 2021.

In course of hearing, the learned counsel appearing on behalf of the petitioner submits that necessary direction may be given to the learned Chief Judicial Magistrate for early disposal of the petition under section 410 Cr.P.C which is still pending before the learned CJM, Barasat.

Considering the facts and circumstances, it would be appropriate to make a request for early disposal of the application under section 410 in case No. C.M.C 04/21.

Accordingly, learned Chief Judicial Magistrate, Barasat, North 24-Parganas is requested to dispose of the application under section 410 Cr.P.C as expeditiously as possible preferably within two months without giving any unnecessary adjournments to either of the parties to the application. Thus, the revisional application being CRR 2098 of 2021 is disposed of.

Let a copy of this order be sent to the learned Chief Judicial Magistrate, North 24-Parganas, Barasat for information and taking necessary action.

(Bibhas Ranjan De, J.)