

28.06.2021
Item no.5
Ct. No.34
CHC

C.R.R. No.2077 of 2017
(Through video Conference)

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

AND

In the matter of:-

Masammat Raseda Bibi (Khatoon)
... petitioner

Ms. Tuli Sinha

...for the petitioner

Mr. Arijit Ganguly,
Mr. Sandip Chakraborty
...for the State

Report submitted by Mr. Ganguly, learned advocate for the State prepared by the Officer-in-Charge, Ramnagar Police Station be kept with the record.

Records reflect that the case has stagnated because of abscondance of one of the accused for a considerable period of time as the next date is fixed on 24.09.2021 for appearance and further order.

In view of the report submitted and the prayer advanced by the petitioner in the revisional application, I am of the view that necessary direction should be passed upon the learned Magistrate for expediting the process and progress of the case. Records reflect that the instant case was initiated in the year 2006 and the

same was under progress when two of the accused namely, Maimad Ali Khan and Hasmat Ali Khan were not present before the court and neither did they surrender as per direction of this Court in C.R.R.3546 of 2016.

Report so submitted reflects that charge-sheet was filed in the year 2006 for offences punishable under Sections 498A/323/307/34 of the Indian Penal Code and Sections 3 and 4 Dowry Prohibition Act.

It is also seen that previously there were orders passed by this Court and in spite of the same there has been no progress. The grievance of the petitioner is justified.

Accordingly, learned Jurisdictional Magistrate is directed to segregate the case in respect of the absconding accused by exhausting the process of law and take steps for commitment of the case to the court of sessions within a period of three months from date of communication of this order. To that extent, learned Magistrate would pass orders upon the concerned Officer-in-Charge and obtain reports regarding the availability of the accused persons as early as possible. No unnecessary adjournment should be granted either to the State or to the accused and all efforts should be made for commitment of the case within the time so fixed by this Court.

Learned C.J.M, Purba Medinipur, will send the report to the learned Registrar (Judicial Service), High Court, Calcutta, regarding the process of commitment being completed within the time schedule fixed by this Court.

Learned Registrar (Judicial Service), High Court, Calcutta, is directed to communicate this order to the learned C.J.M., Purba Medinipur as also the jurisdictional court.

With this direction, the revisional application being C.R.R.2077 of 2017 is disposed of. All pending applications are consequently disposed of.

Interim order, if any, is hereby vacated.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)