

02.08.2021

Item No.5
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 2950 of 2011
(Via Video Conference)

**Sri Bablu Ponda @ Tarani Ponda
versus
The State of West Bengal & Anr.**

In Re: An Application under Sections 401 and 482 of the Code of Criminal Procedure, 1973.

Mr. Satyajit Mandal,
Mr. Suranjan Mandal,
Mr. Ratul Ghosh ... For the Petitioner.

Affidavit-of-service filed in Court today be kept with the record.

This revisional application was preferred against the order dated 29.06.2011 passed by the learned Chief Judicial Magistrate, Purba Medinipur at Tamluk in Misc. Execution Case No. 126 of 2009.

It was observed by the learned Magistrate that after receiving the lump sum amount, nothing was recorded or was evident from the records that the wife will not be entitled to recover so far as the amount mentioned in the execution case is concerned in relation to proceedings under Section 125 of the Code of Criminal Procedure.

Records of the present revisional application reflect that on 16.11.2011, a co-ordinate Bench of this Court was pleased to direct the petitioner to deposit a sum of Rs.3,500/- and in case, the petitioner failed to deposit the same within a period

of two weeks, no interim order would be effected so far as the proceeding before the learned Magistrate is concerned.

Having regard to the fact that the revisional application is pending for more than nine years and the learned advocate appearing for the petitioner submitted very candidly that there is no information to him regarding the present stage of the proceedings or regarding the deposit whether the same has been effected, I am of the view that the learned Magistrate as such should proceed in accordance with law.

With the aforesaid observations, CRR 2950 of 2011 is disposed of.

Interim order, if any, is hereby vacated.

All pending applications, if any, are consequently disposed of.

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

(Tirthankar Ghosh, J.)