

16.09.2021
Sl. No.58
Court No.34
BM

CRR 3039 of 2012

Romesh Mohanta
Vs.
State of West Bengal & Anr.

Ms. Baisali Basu ... for the State

The revisional application was preferred in respect of order dated 1.6.2012 passed by the learned Sessions Judge, Jalpaiguri refusing a prayer under Section 173(8) of the Code of Criminal Procedure.

As none appeared on behalf of the State Ms. Baisali Basu, learned advocate, who ordinarily appears for the State, is directed to appear in this matter and represent the State. Her appointment may be regularised by the concerned authority.

I have perused the impugned order as also the records of the revisional application.

The records of the revisional application reflect that the revisional application is yet to be admitted. Although the order of the Sessions Judge refusing the application of 173(8) of the Code of Criminal Procedure, do not seem to be on very cogent ground but having regard to the fact that the said order was passed almost 9 years ago, I am of the view that at his belated stage interference may jeopardized the smooth progress of the case. However, if the proceedings are still pending the learned Sessions Court will be at liberty to invoke the provision of Section 319 of the Code of Criminal Procedure if the situation so warrants.

With the aforesaid observations CRR 3039 of 2012 is disposed of.

Pending application, if any, is consequently disposed of.

Interim order, if any, is hereby vacated.

All the parties are directed to act on the server copy to be obtained from the official Website of the Hon'ble High Court at Calcutta.

(Tirthankar Ghosh, J.)

16.09.2021
Sl. No.51
Court No.34
BM

CRR 2820 of 2012

Madhav Baidya & Ors
Vs.
Piyali Baidya & Orsvs.

Mr. Imran Ali
Mr. Debjhani Sahu ... for the State

As none appears on behalf of the petitioners or the State, Mr. Ali, learned advocate, who ordinarily appears for the State, is directed to appear in this matter and represent the State. His appointment may be regularised by the concerned authority.

The learned advocate for the State is directed to submit a status report/progress report on the next date fixed for hearing.

List this matter under the same heading on 30th September, 2021.

(Tirthankar Ghosh, J.)