

Sr.29
23-09-2021
Subha.
Court no. 34

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE
(Via Video Conference)**

CRR 3294 of 2012

In the matter of : Md. Tajuddin @ Taj & Ors. ...petitioners.

In Re : An application under Section 401 read with Section 482 and Section 407 of the Code of Criminal Procedure.

Mr. Binoy Kumar Panda
Mr. Sandip Chakrabroty
...for the State.

The revisional application was preferred against the order dated 2nd August, 2012 passed by the learned Additional Sessions Judge, Sealdah in connection with Sessions Case No. 1(10)10 corresponding to Sessions Trial no. 3(9)11. The prayer advanced by the petitioners were for deferring the cross-examination of P.Ws. 2, 3 and 4 under Section 231(2) of the Code of Criminal Procedure.

As none appeared on behalf of the petitioners or for the State, Mr. Binoy Kumar Panda, learned advocate who ordinarily appears for the State is directed to appear in this matter for assisting the court. His appointment may be regularized by the concerned authorities in due course.

Record of this revisional application reflects that the matter appeared on 19.09.12 and 21.03.13 and there was a direction of this court that mere pendency of the petition in this court shall be no ground to postpone the proceedings.

I find that the revisional application is pending since the year 2012 and no effective steps have been taken by the petitioners for getting the revisional application admitted till date. No information has been furnished before the court as to the present stage of the trial court after nine years.

As the learned Sessions Court exercised its power and discretion to arrive at its finding for rejecting the prayer under Section 231(2) of the Code of Criminal Procedure, I am of the view that at this belated state, any interference would prejudice the prosecution or the defence.

As such, no interference is called for by this court and the present revisional application being CRR 3294 of 2012 is dismissed.

All pending applications, if any, in connection with revisional application, are consequently disposed of.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

(Tirthankar Ghosh, J.)