

CRR 130 of 2021

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH, JALPAIGURI
CRIMINAL REVISIONAL JURISDICTION**

In re : An application under Section 483 of the Code of Criminal Procedure, 1973.

In the matter of : **Raj Kumar Agarwal**

..... petitioner

Mr. Deborshi Dhar

....For the petitioner

The only grievance of the petitioner appears to be that he has filed an application under Section 173(8) of the Code of Criminal Procedure, 1973, before the learned Additional Chief Judicial Magistrate, Siliguri in connection with G.R. Case No. 2599 of 2018 under Sections 43/66 of the Information Technology Act, 2000 in the month of May, 2019. But the said petition has not yet been decided by the learned Magistrate on merit.

The grievance of the petitioner is that though the charge sheet was filed as against the opposite party no. 2, the final report has been submitted by the investigating agency as against the opposite party no. 3. The petitioner suggests that the said application filed under Section 173(8) of the Code of Criminal Procedure, 1973 should have been disposed of at an early date.

In this pandemic situation, the normal functioning of the Court is yet to be resumed. However, keeping in mind the innocuous nature of the prayer, I, dispose of this revisional application with a direction upon the learned Magistrate in the Court below to decide the application filed by the petitioner

under Section 173(8) of the Code of Criminal Procedure, 1973 within a period of one month from the date of resumption of the normal functioning of the Court.

The revisional application being **CRR 130 of 2021**, is disposed of.

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

(Kausik Chanda, J.)