

21-09-2022
Subha
Item no.36

Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 36 of 2021
Rakibul Sk.
-versus-
The State of West Bengal & Anr.

Re : An application under Article 227 of the Constitution of India read with S.401 read with S.482 of the Code of Criminal Procedure.

The present revisional application has been preferred in respect of judgement and order passed by the learned Additional Sessions Judge cum Judge, Special Court(E. C. Act), Berhampore, Murshidabad wherein the learned revisional court was pleased to set aside the order dated 21.12.2019 passed by the learned Judicial Magistrate, 2nd court, Berhampore, Murshidabad in Execution Case No. 509 of 2018 arising out of M. R. Case No. 968 of 2017 under Section 125 of the Code of Criminal Procedure.

The revisional court was of the opinion that since the order passed in the impugned proceedings under Section 125 of the Code of Criminal Procedure has been set aside and there was a direction for continuation of the proceedings, naturally the execution case would revive and continue. .

Having regard to the reasons so assigned by the learned revisional court, I am of the opinion that no interference is called for by this Court.

Accordingly, the revisional application being CRR 36 of 2021 is dismissed.

Pending applications, if any, are consequently disposed of.

Interim order, if any, is hereby vacated.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]

