

18.04.2022

Item No.38
Ct.No.34
dc.

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

**C.R.R. 210 of 2022
with
CRAN 1 of 2022**

**Tandra Debnath & Anr.
versus
The State of West Bengal & Anr.**

In Re: An Application under Sections 397/401 read with Section 482 of the Code of Criminal Procedure, 1973 filed in connection with order dated 05.01.2022 passed by learned Executive Magistrate, Barrackpore passed in M.P. Case No. 42 of 2022.

Mr. Apalak Basu,
Mr. Anupam Dasadhikari,
Mr. Suvam Sinha

... For the Petitioners.

Ms. Sujata Das

... For the State.

Mr. Debasish Kar

... For the Opposite Party No.2.

This revisional application was preferred challenging the order dated 05.01.2022 passed by the learned Executive Magistrate, Barrackpore in connection with M.P. Case No. 42 of 2022 as also all consequential orders passed therein.

I find from the order dated 05.01.2022 that there was a restrain order. Thus, after a period of 60 days, the same is supposed to expire. The petitioners approached this Court and obtained an interim order on 27.01.2022.

Having regard to the fact that during the pendency of this revisional application, the proceedings before the learned Executive Magistrate being M.P. Case No. 42 of 2022 has become infructuous, I am of the opinion that further pendency of this revisional application is unwarranted before this Court. As such, the proceeding before the learned

Executive Magistrate, Barrackpore has, by efflux of time, become infructuous.

Both the parties will have liberty to approach the appropriate forum in accordance with law.

With the aforesaid observations, the revisional application being CRR 210 of 2022 is disposed of.

Interim order, if any, is hereby vacated.

All pending connected 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.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)