

07.04.2022

Item No.59
Ct.No.34
dc.

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

C.R.R. 17 of 2013

**Pradip Kr. Nath @ Pradip Nath & Ors.
versus
The State of West Bengal**

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

Mr. Suman De ... For the Petitioners.

Mr. Arijit Ganguly,
Ms. Debjani Sahu ... For the State.

The present revisional application was preferred against an order dated 27.09.2012 passed by learned Additional Sessions Judge, 16th Court, Alipore in Criminal Motion No. 41 of 2012 wherein the learned sessions court while exercising its revisional jurisdiction was pleased to refuse the prayer of the petitioners for marking the entire seizure list dated 04.04.2000 as exhibit by PW-1.

The subject matter of the instant case relates to Bhowanipore Police Station Case No. 278 dated 17.06.1999 under Sections 448/380/427/341 of the Indian Penal Code.

As none appears on behalf of the State, Mr. Arijit Ganguly, learned advocate, who ordinarily appears for the State, is directed to appear in this matter and represent the State. His appointment may be regularized by the concerned authorities.

The subject matter in dispute relates to an issue of the year 2011. The records of this revisional application reflect

that there was no interference of the proceedings initially and the revisional application is pending for about 9 years before this Court.

Having regard to the issue of marking of a particular document for the purposes of admitting the same to be in evidence which is also of the year 2000, I am of the opinion that with passage of time, the contention of the petitioner has lost its force. However, if the proceedings are still pending, the learned trial court would be at liberty to address the contention regarding the admissibility at the time of final argument of the case.

With the aforesaid observations, the revisional application being CRR 17 of 2013 is disposed of.

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.)