

06.05.2022
S/L No.11
KS

C.R.R. 79 of 2015
With
IA No. CRAN 1 of 2015 (Old No. CRAN 47 of 2015)
Vijay Kumar Agarwalla
-Vs.-
Mr. Y. Sulabesh & Anr.

The revisional application is listed today for hearing.

None appears on behalf of the petitioner as well as for the opposite parties.

The petitioner filed this revisional application under Section 482 read with Section 401 of the Code of Criminal Procedure assailing order dated 07.12.2011 passed by Learned Metropolitan Magistrate, 5th Court, Calcutta in C. Case No.11130 of 2006, thereby the complaint lodged was dismissed. The petitioner prayed for setting aside of the order for dismissal and for restoration of the complaint.

Administrative Notice was issued to the petitioner and opposite party no.1 but the notice sent to their respective addresses mentioned in the cause title have been returned un-served on the ground that the petitioner could not be located and opposite party no.1 has left the given address. The report is taken on record.

I have considered the materials on record and the impugned order. Since, the complainant had not taken any steps on 07.12.2011, the Learned Magistrate was pleased to dismiss the petition of complaint under Section 256 of the Code of Criminal Procedure and the accused person was acquitted. Law has been followed. I find no illegality in the impugned order as such, the revisional application is dismissed for default and is disposed of.

The connected application stands disposed of.

Let a copy of this order be sent to the Learned Metropolitan Magistrate 5th
Court at Calcutta for information.

(Ananda Kumar Mukherjee, J.)