

11-04-2022
Subha
Item no.41
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

C.R.R 196 of 2013

In the matter of : **Maheshwari Devi**

.....petitioner.

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

Mr. Arijit Ganguly
Mr. Kutubuddin

.....for the State.

The subject matter of challenge relates to Kashipur Police Station Case No. 7/2010 dated 29-01-2010 under Sections 392/411 of the Indian Penal Code along with 25(1)(2) of the Art and Antiquities Act.

The grievance of the revisional application relate to an order passed on 08.02.2012 passed by the learned Additional Sessions Judge, 1st court, Purulia wherein the order dated 05.03.2010 passed by the learned Additional Chief Judicial Magistrate, Raghunathpur was affirmed.

The present revisional application was filed with an application for condonation of delay under Section 5 of the Limitation Act. More than 9 years have passed since the revisional application has been filed, but till date the delay remains to be condoned.

Having regard to the passage of time in the meantime, which

has elapsed, I am of the opinion, that it at this belated stage, the consideration of an application under Section 5 of the Limitation Act may prejudice the merits of the case.

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

Having regard to the manner in which the revisional application has been pursued, I am of the opinion that the subject matter of the revisional application relating to the deity should be considered at the end of the trial of the case.

Thus, the revisional application being CRR 196 of 2013 along with CRAN 179 of 2013 is dismissed.

All pending applications, if any, in connection with the revisional application, 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]

