

IN THE HIGH COURT AT CALCUTTA

(Criminal Revisional Jurisdiction)

APPELLATE SIDE

Present:

The Hon'ble Justice Shampa Dutt (Paul)

CRR 603 of 2020

Sri Kalyan Krishna Nandi

Vs.

Nita Nandi (Mani) & Anr.

For the Petitioner : Mr. Kalyan Krishna Nandi (in person).

For the State : Mr. P.K. Dutta,
Mr. S. Deb Roy,
Md. Kutubuddin.

Heard on : 27.09.2022

Judgment on : 16.11.2022

Shampa Dutt (Paul), J.:

The revisional application has been filed on 17.02.2020 praying for expeditious disposal of Criminal Revision 93 of 2016 pending before the 3rd learned Additional District Judge, Fast Track Court, Barrackpore.

In spite of effective service as seen from the affidavit of service dated 05.08.2022, none appears for opposite party no. 2.

The State is represented.

Page 4 of the supplementary affidavit filed by the petitioner, is an order dated 02.03.2020 in C.R.R. 681 of 2020.

The Court in the said order dated 02.03.2020 held:-

“The petitioner appearing in person submits as follows. The petitioner had prayed for discharge in the impugned proceeding under Sections 406, 498A, 506 read with Section 34 of the Indian Penal Code and 3 and 4 of the Dowry Prohibition Act, 1961 pending before the learned Trial Judge. The same was turned down in 2015. The petitioner filed a revisional application before the learned Revisional Court in 2016. The same has remained pending for no fault from the part of the present petitioner. In the mean time, the petitioner filed an application being CRR 69 of 2019 seeking expeditious disposal of the revisional application.

Due to some personal difficulty, he was unable to appear and the matter was dismissed for default on 19.02.2019. As prayed for on behalf of the petitioner, long dates are being fixed by the learned Revisional Court. In view of the above and in the interest of justice a direction

may be passed to expedite the proceeding before the learned Revisional Court.”

CRR of 681 of 2020 was accordingly disposed of on 02.03.2020 with the direction:-

“In view of the above and in the interest of justice, I request the learned Revisional Court to dispose of the application as expeditiously as possible without granting any unnecessary adjournment to any of the parties, preferably within a period of six months from the date of hearing.

With these observations, the Revisional Application being CRR 681 of 2020 is disposed of.”

Heard the petitioner (in person) and the learned lawyer for the State in full. Considered the submissions, the materials on record including the relief prayed for.

The present revisional application being CRR 603 of 2020 was filed on 17.02.2020 and CRR 681 of 2020 filed on 21.02.2020, was disposed of on 02.03.2020. CRR 603 of 2020 had been filed praying for the **same relief** as in CRR 681 of 2020. As directed by the Court while disposing CRR 681 of 2020, the learned 3rd Court of Additional District Judge, Fast Track Court, Barrackpore, **disposed of Criminal Revision 93 of 2016 vide order dated 23.02.2022** (as seen from the copy filed by the petitioner).

Thus considering that CRR 93 of 2016 has already been disposed of by the Trial Court, the present revisional application has become infructuous.

Accordingly, CRR 603 of 2020 is disposed of as infructuous.

(Shampa Dutt (Paul), J.)