

11.11.2022

Item No.16
Ct.No.34
dc.

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

**C.R.R. 649 of 2010
with
CRAN 1 of 2010 (Old No. CRAN 1037 of 2010)**

**Duli Chowdhury
versus
The State of West Bengal & Anr.**

In Re: An Application under Section 401 read with Section 482 of the Code of Criminal Procedure, 1973.

Mr. Arindam Jana,
Mr. A. Sengupta ... For the Petitioner.

Mr. S. G. Mukherjee, Ld. P.P.,
Md. Anwar Hossain,
Ms. Manisha Sharma ... For the State.

The subject-matter of the main revisional application relates to an order of acquittal being passed in connection with Ratua Police Station Case No. 30 of 2005 dated 30.01.2005. The judgement was delivered in the year 2008 by the learned Additional Sessions Judge, Fast Track, 6th Court, Malda in Sessions Case No. 209 of 2007 corresponding to Sessions Trial No. 81 of 2007. There was delay in preferring this revisional application which was filed at the instance of the complainant. The said delay was for a period of 1 year 7 months and 4 days.

Having regard to the time period which has expired in the meantime and the right accrued to the accused because of passage of time in enjoying such liberty and the fact that a court of law has scrutinised the materials relied upon by the prosecution to arrive at its finding of acquittal in the year

2008, I am of the opinion that after 14 years condoning delay will not be justified. Accordingly, the application being CRAN 1 of 2010 (Old No. CRAN 1037 of 2010) is dismissed.

Consequently the revisional application being CRR 649 of 2010 is also dismissed.

Pending connected application, if any, is 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.)