

20.09.2022

Item No.59
Ct.No.34
dc.

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

C.R.R. 870 of 2021

**Samu Hela
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.

Md. Mokaram Hossain,
Mr. Sandipan Maity ... For the Petitioner.

Supplementary affidavit filed on behalf of the petitioner
be kept on record.

The subject-matter of challenge was the order dated
24.12.2020 passed by learned Magistrate, 5th Court,
Barrackpore in connection with M. Execution Case No. 82 of
2016 arising out of M-943 of 2014.

The learned advocate appearing for the petitioner draws
the attention of the Court to the order passed in Criminal
Revision No. 140 of 2017 by the learned Additional Sessions
Judge, 3rd Court, Barrackpore wherein there was interim
order staying the proceedings by modifying the maintenance
amount. Subsequently the supplementary affidavit has been
filed by the petitioner incorporating the final outcome of the
revisional application wherein on 02.02.2021, the learned
Additional Sessions Judge, 3rd Court, Barrackpore was
pleased to dismiss the Criminal Revision No. 140 of 2017 and
affirmed the order passed by the learned Magistrate, 5th
Court, Barrackpore arising out of M Case No. 943 of 2014.

Having regard to the change of circumstances, I am of the opinion that the present revisional application has become infructuous before this Court.

Accordingly, the revisional application being CRR 870 of 2021 is dismissed as infructuous.

Interim order, if any, is hereby vacated.

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.)