

25.11.2022

Court No.35
Item No. 24

CRR 694 of 2015

d.g.

**Arun Ghosh
Vs.
The State of West Bengal & Anr.**

Mr. Kallol Mondal,
Mr. Partha Sarathi Ghosh,
Mr. Krishan Ray,
Mr. Souvik Das.

... For the petitioner

None appears on behalf of the State.

Learned Advocate appearing on behalf of the petitioner submits as regards the merit of the case, that the present case has challenged the proceedings under Section 144 of the Code of Criminal Procedure pending before the Sub-Divisional Executive Magistrate at Kandi, Murshidabad.

For the rest he is left the matter at the discretion of the Court to pass an appropriate order.

Considering the materials before me, available in record, it appears that a proceeding was initiated being C. No. 185 of 2015 in the Court of Sub-Divisional Executive Magistrate at Kandi, Murshidabad under Section 144 of the Code of Criminal Procedure, 1973. The relevant date is 4th February, 2015 when the Magistrate passed an order in the same. The said order dated 4th February, 2015 has been assailed in this revision.

However, the statutory provision mandates that an order under Section 144 of the Code of Criminal Procedure, 1973 is to be in existence for a period of sixty (60) days from the date of passing the same.

Accordingly, in this case the impugned order has died its natural

death and there remains no further requirement to adjudicate this matter on merit. The present revision case is being infructuous by operation of law.

On the discussion as above, I find it proper to dismiss the revision case.

Accordingly, CRR 694 fo 2015 is dismissed being infructuous.

Parties are granted liberty to obtain server copy of this order, for any future reference, until certified copy of the same is obtained.

(Rai Chattopadhyay, J.)