

03.02.2022
S/L No.14
KS

(Via Video Conference)
C.R.R. 1208 of 2011

Prasanta Talukdar & Ors.
-Vs.-
The State of West Bengal & Anr.

Mr. Aniket Mitra
.....For the State

The criminal revisional application is fixed up today for hearing. Mr. Aniket Mitra, learned advocate who usually appears for the State is representing the opposite party no.1/State. The appointment of Mr. Mitra may be regularized in this matter by the concerned authority. None appears for the petitioners nor on behalf of Bimala Talukdar/opposite party no.2.

This revisional application has been filed under Section 482 of the Code of Criminal Procedure praying for setting aside/quashing of the impugned order 04.04.2011 passed by Learned Additional Chief Judicial Magistrate, Barrackpore in connection with Titagarh Police Station Case No.571/2010 dated 19/12/2010 under Sections 498A/ 406 / 34 of the Indian Penal Code and Section 3/ 4 of the Dowry Prohibition Act.

Perused the impugned order. It appears that by such order, the learned Magistrate has recorded receipt of charge-sheet no.64 dated 28.02.2011 against four persons and on perusal of the Case Diary and relevant documents under Section 173 of the Code of Criminal Procedure cognizance has been taken. Learned Magistrate thereafter fixed the case for supply copy of the order dated 20.07.2011. There is no indication in this record that the order dated 18.07.2011 has been complied with by serving notice upon the opposite party no.2. Notice was only served upon the opposite party no.1/State. No interim order was passed in connection with this case.

Learned advocate appearing for the State submits that since there is no interim order staying further proceedings, the case is pending for more than 10 years may have been disposed of by now. Accordingly, it is prayed that the revisional application may be disposed of.

Considered the submissions and the materials on record.

I find that there is no merit in the revisional application challenging the charge-sheet submitted. It appears that the petitioners are not inclined to proceed with the revisional application for which no step has been taken on their behalf.

Thus, the criminal revisional application being, C.R.R. 1208 of 2011 is dismissed.

Department (L & OM) is directed to transmit a copy of this order to the Court of Learned Additional Chief Judicial Magistrate, Barrackpore with a direction to expedite the trial of the case, if the same is still pending.

(Ananda Kumar Mukherjee, J.)