

Court No. 33
Item 2
Ali
18.07.2022

CRR 839 of 2013

**Somnath Chatterjee
Vs.
State of West Bengal & Anr**

In Re:- An application under Section 397 and 482 read with
Section 401 of the Criminal Procedure Code.

None appears on behalf of the petitioner.

This revisional application has been filed under Section 397 and 482 read with Section 401 of the Criminal procedure Code challenging order dated 11.02.2013 passed by learned Judicial Magistrate, 3rd Court, Barrackpore, 24-Parganas (North) rejecting the prayer for adducing further evidence by opposite party (petitioner herein in Misc. Case No. 293 of 2012).

The factual matrix of the case is that the opposite party No. 2 file an application under Section 125 of the Code of Criminal procedure for maintenance. In the said case, the petitioner prayed for adducing further evidence but that was closed.

Being aggrieved by and dissatisfied with the said order the petitioner has preferred for the present revisional application.

It appears from the impugned order dated 11.02.2013 that the petitioner sought for time to adduce evidence on several occasions and thereafter, specific direction was issued by the Court for adducing evidence in default, the evidence from the opposite party shall be closed. It is further revealed that the Trial Court has observed that the opposite party seems to delay the disposal of the case. Considering such materials I find that the impugned order does not call for interference.

Accordingly, the present revisional application is dismissed.

All connected applications also stand disposed of.

Interim order, if any, stands vacated.

Urgent photostat certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Bivas Pattanayak, J.)