

Form J(2)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

CRR 2014 of 2022

**Narayan Prasad Saraff
-Vs.-
M/s. S. L. Banthia Fabrics Pvt. Ltd. and Ors.**

For the petitioner: Mr. Avijit Ghoshal

For the State : Mr. Anwar Hossain

Item No.16.

Heard & Judgment on: 24.06.2022

Bibek Chaudhuri, J.

On perusal of the instant revisional application and the prayer made by the learned advocate for the petitioner, this Court is of the view that the instant revision can be disposed of at motion stage with the assistance of the learned P.P.-in-charge, High Court, Calcutta. Mr.

Anwar Hossain, learned P.P.-in-charge is requested to assist this Court in the instant matter.

The petitioner is requested to hand over a copy of the application to Mr. Hossain.

Since the copy of the revisional application has been exchanged, it is taken up for hearing.

It is the grievance of the petitioner that on the basis of a petition filed before the learned Metropolitan Magistrate, Calcutta in the year 2014 under Section 156(3) of the Code of Criminal Procedure Shakespeare Sarani Police Station Case No.9 of 2014 was registered. The said police case gave rise to institution of G.R. Case No.80 of 2014. Charge sheet was transferred to the 4th Court of the Metropolitan Magistrate, Calcutta for trial and disposal.

During the pendency of the case, one Gaurav Banthia, one of the accused in the case filed an application for return of the seized original sale deed dated 1st November, 2013 along with the seized original sale certificate dated 14th August, 2013 seized by the Investigating Officer during investigation vide seizure list dated 18th January, 2016. The said application was rejected and next date was fixed for consideration of charge.

Being aggrieved against the aforesaid order passed by the learned Metropolitan Magistrate 4th Court at Calcutta on 29th January,

2021 the said Gaurav Banthia filed a revisional application being Criminal Revision Case No.36 of 2021 before the learned Chief Judge, City Sessions Court. The said case was transferred to the Second Fast Track Court of the learned Additional Sessions Judge at Calcutta. The grievance of the petitioner is that the said revisional application has not been disposed of as yet.

On perusal of the interim impugned order, it appears to this Court that the revisional Court should not take more than one day's hearing to dispose of the criminal revision. But for the pendency of the aforesaid criminal revision trial of the case cannot be commenced.

In view of such circumstances, the learned Additional Sessions Judge 2nd Fast Track Court at Calcutta is directed to dispose of the criminal revision No.36 of 2021 within two months from the date of communication of this order positively. The learned advocate for the petitioner is at liberty to communicate a server copy of this order to the learned revisional Court and the learned Judge in revision shall act upon the server copy of the order.

The learned revisional Court shall also see that the trial of G.R. Case No.80 of 2014 should be commenced and disposed of by the trial Court as expeditiously as possible.

With the above order the instant criminal revision is disposed of on contest.

There shall be no order as to costs.

(Bibek Chaudhuri, J.)