

**CRR 1855 of 2021
With
CRAN 1 of 2021
(Via video conference)**

In the matter of : Teknarayan Chowdhury
.....Petitioner

Ms. Sumitra Das for the Petitioner

Mr. Prasun Kumar Dutta
Mr. Subrato Roy for the State

There is a delay of almost two years in preferring the revisional application.

Having regard to the grounds so referred in the application for condonation of delay, I find that there was medical grounds involved/associated with the wife of the petitioner and as such, steps could not be taken within time by him.

Considering the plea which has been taken by the petitioner, I am of the opinion that the revisional application must be heard out on merits and should not be dismissed due to technical grounds of delay. As such the delay as prayed for, is condoned.

Accordingly, CRAN 1 of 2021 is disposed of.

The learned advocate for the petitioner has canvassed regarding the status quo order being passed by the learned Executive Magistrate on the initial date when the application was preferred at the instance of the private opposite parties.

Having regard to the prejudice which is being suffered by the petitioner because of the interim order, the petitioner is

granted liberty to take out an application before the learned Executive Magistrate who would consider the same in its proper perspective and after addressing the materials placed by the petitioner.

The learned Executive Magistrate will be at liberty to call for report from the concerned police authorities and other Government agencies for arriving at a proper finding for disposing of the application under Section 147 of the Code of Criminal Procedure within a reasonable period of time.

With the aforesaid observations, CRR 1855 of 2021 is disposed of.

All parties are to act on the server copy of this order duly obtained from the official website of this Court.

(Tirthankar Ghosh, J.)