

Form J(1)

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

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

**CRR 2324 of 2022
Madhabi Barui (Mandal) and Anr.
Vs.
The State of West Bengal & Ors.**

Ms. Pampa Dey (Dhabal)
...for the petitioner

Item No.192ML

Heard & Judgment on: 08.08.2022

Bibek Chaudhuri, J.

An order dated 26th May, 2022 passed by the learned Executive Magistrate, Canning Sub-Division in MP Case No.570 of 2022 under Section 144(2) of the Code of Criminal Procedure is sought to be challenged by the petitioner.

It is pertinent to mention at the out set that an order passed under Section 144(2) of the Code of Criminal Procedure remains its force for a period of 60 days. A proceeding under Section 144(2) of the Code of Criminal Procedure is required to be disposed of within the said period. The learned Executive Magistrate cannot pass an order on a particular date and keep the proceeding pending beyond 60 days.

Be that as it may, this Court is of the view that the proceeding being MP Case No.570 of 2022 becomes non-est by efflux of time. Therefore, the impugned order does not have any force.

With the above observation, the instant revision is disposed of.

(Bibek Chaudhuri, J.)