

16.03.2022
S.D.
18.

**C.R.R. 1872 of 2015
(Via Video Conference)**

In the matter of: Mala Dey

.....Petitioner.

Mr. Pravash Bhattacharya

Mr. Pratick Bose

...For the State.

The revisional application is listed today for hearing.

None appears for the petitioner and opposite party no. 2.

Learned advocates for the State appearing in the cause title are present. The appointments of the State advocates may be regularized by the concerned authority.

The petitioner filed this application under Section 482 of the Cr.P.C. and Section 401 of the Cr.P.C. praying for quashing of the proceedings in Complaint Case No. 761C of 2006 and also for quashing of order dated 10.4.2015 passed by learned District and Sessions Judge, Howrah in Criminal Appeal No. 46 of 2015.

On perusal of the order dated 15.7.2015, it appears that the operation of the order dated 10.4.2015 passed by learned Sessions Judge, Howrah in Criminal Appeal No. 46 of 2015 was stayed for eight weeks or until further order whichever is earlier on condition that the petitioner deposited Rs.5 lakh before the Trial Court within four weeks, in default the stay order would stand vacated. The matter was thereafter specially fixed for hearing after four weeks.

Perused the petition and the impugned order. Learned Sessions Judge, Howrah by the impugned order dated 10.4.2015 admitted the appeal and stayed operation of the order passed by the Trial Court till disposal of the Criminal Appeal on condition that the appellant deposited the cheque amount of Rs.7,39,100/-within 15 days from the order. The said order being challenged, petitioner was directed to deposit of Rs.5 lakh before the Trial Court within four weeks. There is no indication if the petitioner has deposited the said amount. No compliance report has been filed by him thereafter.

Heard learned advocates for the State.

Considered.

The revisional application is dismissed for default and non-compliance of Court's order. The same is accordingly disposed of. There is no interim stay in connection with the Criminal Appeal.

Let a copy of this order be sent to learned Sessions Judge, Howrah for information. If appeal has been disposed of in the mean time, let the sentence passed by the Trial Court be executed.

(Ananda Kumar Mukherjee, J.)