

D/L23
03.11.2022
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C.R.R.1975 of 2021

In Re: An application under Section 482 read with Section 483 of the
Code of Criminal Procedure, 1973;

Nymphaea Rubra Paul
Versus
The State of West Bengal and another

Mr. Sabyasachi Banerjee,
Mr. Abhra Jena.
...for the petitioner.

Mr. Ranabir Roy Chowdhury,
Mr. Sandip Chakraborty.
...for the State.

Mr. Apalak Basu.
...for the opposite party no.2.

Petitioner is the defacto complainant in connection with
Regent Park Police Station Case No.89 of 2017 under Sections
465/417 of the Indian Penal Code. In course of the proceedings
progressing before the learned Magistrate, a revisional application
was filed at the behest of the opposite party no.2.

It has been contended that in the said application, the
present petitioner was never made a party. As such, an application
was preferred by the present petitioner/defacto complainant to be
impleaded as a party. The said application till date is pending before
the revisional court.

In view of the settled proposition of law, the application
for impleadment of the defacto complainant/petitioner before the
revisional court in Criminal Motion No.43 of 2020 be deemed to be
allowed as the criminal case was instituted at her instance.

The next date has been fixed on 09.11.2022. The learned revisional court will hear the petitioner, the opposite party no.2 and the State and continue the hearing of the case till the same is disposed of. The final verdict of the revisional application be delivered by 1st week of December, 2022.

Mr. Apalak Basu, learned advocate appearing for the private opposite party no.2 herein and the petitioner before the revisional court submits that his client cannot be made responsible for the delay and the opposite party no.2 is interested in early disposal of the revisional application.

With the aforesaid observations, CRR 1975 of 2021 is disposed of.

Pending applications, if any, are consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)