

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 3034 of 2022

Raju Mukherjee

-Vs-

State of West Bengal & Anr.

For the Petitioner: Mr. Saryati Datta, Adv.,
Mr. Chitrak Biswas, Adv.

For the State: Ms. Faria Hossain, Adv.,
Ms. Mamata Jana, Adv.

Heard on: 7th September, 2022.

Judgment on: 7th September, 2022.

BIBEK CHAUDHURI, J. : –

1. This is an application under section 483 of the code of criminal procedure praying for expeditious disposal of Dum Dum Police Station case no. 275/21 dated 04.03.2021 under Sections 419,494,495 of the IPC corresponding to G.R. Case no. 1859/21 presently pending before the learned Additional Chief Judicial Magistrate, Barrackpore.

2. On perusal of averment made in the instant revision and having heard the learned Advocate for the petitioner this Court is of the view that the instant revision can be disposed of here and now with the assistance of the learned Advocate for the state.

3. Accordingly, Ms. Faria Hossain and Mrs. Mamata Jana learned Advocates are requested to assist this Court on behalf of the State. Appointment of Ms. Faria Hossain and Mrs. Mamata Jana learned Advocates be regularized by the learned Legal Remembrancer, Government of West Bengal.

4. It is stated by the learned advocate for the petitioner that marriage was solemnized between the petitioner and the opposite party no. 2 on 11th March, 2020 according to Hindu Rites and Customs. On 17th March, 2020 application for registration of marriage was submitted by the petitioner but till date Marriage Certificate was not issued. On 13th April, 2020 the opposite party no. 2 left her matrimonial home without any reason which led the petitioner to lodge a general diary before Dum Dum police station being G.D. no. 2247/2020 dated 25.09.2020. After recovering from Covid the petitioner went to the paternal house of the opposite party no. 2 where he was informed by his father-in-law and brother-in-law that she again married on 18th July, 2020 with one Aswini Kumar Das.

5. Subsequently, the opposite party no. 2 filed an application under Section 12 of the Hindu Marriage Act on 1.03.2021 against said Aswini Kumar being MAT suit no. 792/2021 before the Learned District Judge, Alipore. The petitioner filed an application on 28.04.2022 praying for adding him as a necessary party in the aforesaid case and his application was admitted and date was fixed on 05.08.2022. In the meantime the petitioner got information that the opposite party no. 2 again married on

04.02.2021 to one Rajib Biswas which led the petitioner to lodge the above complaint being Dum Dum P.S. case no. 275/21 against the opposite party no. 2 on 04.03.2021.

6. The opposite party no. 2 surrendered before the Learned Magistrate and was enlarged on bail on 30.09.2021. After completion of investigation, charge-sheet was submitted on 30.09.2021 being no. 961/21 and cognizance of the offence was taken on 24.05.2022. The opposite party no.2 was absent on several dates and next date is fixed on 12.01.2023.

7. Under such circumstances, petitioner has prayed for expeditious disposal of the case.

8. In view of the above factual position, it is premature to pass any order for expeditious disposal of G.R. Case no. 1859 of 2021. However, the Trial court is directed to frame Charge within three months from the date of communication of this order.

9. The instant criminal revision is disposed of with the above order on contest.

(Bibek Chaudhuri, J.)