

CRR 2695 of 2021

Falguni Singha Ray

- vs-

Arup Singha Ray and another

Mr. Subhasis Pachhal

.... For the petitioner

Mr. Sudip Ghosh,

Mr. Bitasok Banerjee

.... For the State

Although the application challenges an order dated 24th August, 2021 passed by the learned Magistrate granting ad interim bail to the petitioner, learned counsel for the petitioner submits that the petitioner would not like to press the same and would instead pray for a direction upon the learned Court to expedite the hearing of the application for cancellation of bail filed on behalf of the petitioner.

Learned counsel for the petitioner further submits as follows. The petitioner is the de facto complainant in this case while the opposite party no. 1 is the accused/husband. During the proceeding, the accused made a proposal before the de facto complainant to settle the disputes. Being induced by the same, the de facto complainant filed an affidavit before the learned trial Court stating that the dispute has been amicably settled. Accordingly, on 24th August, 2021 the accused were granted bail. However, after being granted bail, the husband /opposite party has been threatening and inflicting torture upon the de facto complainant/petitioner. Therefore, the petitioner was constrained to file an application for cancellation of bail of the accused before the learned trial Court. However, on 13.12.2021 the learned trial Court simply adjourned the matter and did not taken any positive steps for hearing of the application for cancellation. The learned trial Court failed to gauge the importance of such application.

Learned advocate for the State submits the State would not come in the way if a direction is passed to expedite the hearing of the application for cancellation of bail.

I have heard the learned advocates for the petitioner and the State and have perused the revisional application.

No prejudice will be caused to anyone if direction is passed to expedite the hearing of an application for cancellation of bail.

Even without going into the merits of the case, it needs to be appreciated that if an application for cancellation of bail is filed with allegations of post-bail misconduct, the same needs to be adjudicated at the earliest.

In view of the same and the ends of justice, I request the learned trial Court to hear out the petitioner's application for cancellation of bail as expeditiously as possible, preferably within a period of two months from the date of communication of this order.

With these observations, the revisional application is disposed of .

Urgent photostat certified copy of this order, if applied for , be given to the learned advocate for the parties on usual undertakings.

(Jay Sengupta, J.)