

14.9.2022
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AB
Ct. No.236

CRR 4557 of 2009

In the matter of : Abdul Samad Khan & Ors.

Mr. Arun Kumar Mohanty
Mr. R. R. Mahanty
Ms. Shaloni Basu

... for the petitioners

Mr. Saswata Gopal Mukherjee
Mr. Imran Ali

Ms. Debjani Sahu ... for the State

This proceeding steps out by an application under Section 482 of the Cr.P.C. filed by the petitioners seeking order to quash the criminal proceeding being Maheshtala P.S. case No. 407(9)/2009 under Sections 498A/406/34 of the Indian Penal Code pending before the learned Additional Chief Judicial Magistrate, Alipore, South 24-Parganas.

Heard Mr. Arun Kumar Mohanty, learned advocate appearing for the petitioners and Ms. Debjani Sahu, learned advocate representing the State.

Despite notice none is representing the private opposite party No. 2. At the out set Ms. Sahu, learned advocate representing the State submits a status report indicating that the police after completion of investigation submitted a charge sheet and trial has already been commenced; on 29th October, 2022 is fixed for next date of hearing.

Under such circumstances, Mr. Arun Kumar Mohanty, learned advocate representing the petitioners fairly submits that

with the commencement of trial the petitioner under consideration has lost all its relevance. Mr. Mohanty submits that necessary direction may be given to the learned Trial Court to take all necessary steps to secure the right of the accused persons to have early disposal of the case.

Under such circumstance, after thirteen years of filing of the application I find that the petition has become bereft of merit. Hence, It is dismissed.

The learned Trial Court is requested to expedite the trial without granting adjournment to either of the parties unless it is absolutely necessary.

The revisional application is thus disposed of.

The interlocutory application, if any stands disposed of.

Parties to act on server copy of the order.

Let a copy of the order be sent to learned Trial Court for information and necessary action.

(Siddhartha Roy Chowdhury, J.)