

10.3.2022
S.D.
14.

**C.R.R. 3107 of 2014
With
CRAN 1 of 2014 (Old CRAN 4348 of 2014)**

In the matter of: Subhendu Nandi & Ors.

.....Petitioners.

Mr. Sourindra Mahapatra
Mr. Subham Bhakat

....For the State.

The revisional application is listed today for hearing.

None appears for the petitioners.

The application has been filed under Section 401/482 of the Cr.P.C. challenging order dated 20.6.2014 passed by learned Additional Chief Judicial Magistrate, Bidhannagar in G.R. Case No. 443 of 2010 under Section 498A of the IPC rejecting the petitioners' prayers for discharge on the ground *inter alia* that learned Magistrate passed the order in a mechanical way and that one of the accused persons charge sheeted in this case is still absconding.

Mr. Sourindra Mahapatra and Mr. Subham Bhakat, learned advocates for the State are present. The appointment of the State advocates may be regularized by the concerned authority.

Learned advocates for the State raised strong objection and submitted that absconding of a co-accused cannot be the ground for discharging the petitioners who are also charge sheeted in the case.

Considered the submissions.

I find that the petitioners have not appeared before the Court. There was an interim order staying further proceedings of the case for two weeks from 24.9.2014. It is not known whether thereafter the learned Magistrate has proceeded with this case.

I do not find any merit in the application filed by the petitioners and there is no reason for any interference with the impugned order.

The revisional application is dismissed on the materials on record.

Connected application, if any, stands disposed of.

Let a copy of this order be transmitted to the Court of learned Additional Chief Judicial Magistrate, Bidhan Nagar for information.

(Ananda Kumar Mukherjee, J.)