

10-01-2023
Subha
Item no.16
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 239 of 2021

Batul Sardar & Anr.
-versus-
The State of West Bengal & Anr.

Re : An application under Sections 397/402 read with S.482 of the Code of Criminal Procedure.

Mr. Moyukh Mukherjee
Mr. Shakti Halder
Mr. Vinoy Chakraborty
.....for the petitioner.

Mr. Saswata Gopal Mukherji, Id. PP,
Mr. Arinit Ganguly
.....for the State.

Record of this revisional application reflects that the charge in this revisional application was framed in the year 2017 and the learned Additional Chief Judicial Magistrate, 2nd Court, Baruipur, South 24 Parganas was pleased to observe that the materials submitted by the prosecution prima facie reflect that charges should be framed under Sections 447/323/325/354A/506/34 IPC against the accused persons.

By the said order dated 27th June, 2017, learned court was pleased to read over the charges to the accused/petitioner to which he pleaded not guilty and claimed to be tried and next date was fixed on 29th December, 2017 for evidence of CSW nos. 1 and 2.

The present revisional application was preferred on January, 2021.

Having regard to the time frame after which the revisional application was preferred before this court, I am of the opinion that the same should not be entertained, as by efflux of time there has been waiver in respect of the charges framed by the learned Additional Chief Judicial Magistrate, Baruipur.

The petitioners are granted liberty to take up the issues canvassed in the revisional application by way of cross-examination and at the final stage before the learned trial court.

With the aforesaid observations, the present revisional application being CRR **239 of 2021** is **disposed of**.

. Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]