

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

CRR 487 of 2022

Dr.Nazrul Islam

Vs.

Rose Valley Patrika Private Limited & Ors.

**For the petitioner : Mr. Golam Mustafa Adv.
Mr. Samirul Sardar, Adv.**

Heard on : 25.01.2023

Judgment On : 25.01.2023.

Bibek Chaudhuri, J.

Complaint case No.AC-2203 of 2012 pending before the learned Judicial Magistrate, 7th Court at Alipore is a glaring incidence where the cause of justice is delayed putting the complainant in serious apprehension that due to such delay justice will eventually be denied. Let me aver the factual aspect of the matter.

A complaint case registered as hereinabove under Sections 500/501/502/34 of the Indian Penal Code was taken on trial by the learned Judicial Magistrate at Alipore way back on 11th September, 2012. Thereafter till date the learned Magistrate failed to conclude even the examination of P.W.1. In the meantime, 10 years have

elapsed and the Trial Judge fixed as many as 87 dates without any positive result. Having gone through the contents of the instant revision and considering the submissions made by the learned Advocate for the petitioner, this Court is of the view that this is the fit case where necessary direction should be made to the learned Judicial Magistrate, 7th Court at Alipore for expeditious disposal of the above-mentioned case.

Therefore, the instant revision is disposed of directing the Trial Court to conclude cross-examination of P.W.1 within 31st March, 2023. Thereafter, the learned Trial Judge will come to a logical conclusion of the case by 17th April, 2023.

After such direction being made, it is submitted by the learned Advocate for the petitioner that the petitioner will not proceed with the application under Section 410 of the Code of Criminal Procedure filed by him before the learned Chief Judicial Magistrate, South 24-Parganas for transferring the case from the 7th Court of the learned Judicial Magistrate at Alipore.

The above direction is peremptory and mandatory.

The petitioner is at liberty to take necessary legal step if the above direction is not complied with.

(Bibek Chaudhuri, J.)

***Mithun De/
A.R. (Ct).***

SI No.18.
D/L.