

02.01.2023

Item No.44
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 308 of 2021

**Alok Mitra alias Alok Kumar Mitra & Ors.
versus
The State of West Bengal & Anr.**

In Re: An Application under Sections 397/401 read with Section 482 of the Code of Criminal Procedure, 1973.

Mr. Bidyut Kumar Roy,
Ms. Rita Datta

... For the State.

This revisional application was preferred challenging the order dated 21.12.2020 passed by learned Executive Magistrate, 2nd Court, Alipore in connection with M.P. Case No. 4909 of 2020.

Mr. Roy, learned advocate appearing for the State submits that the order dated 21.12.2020 has lost its force with passage of time.

The order dated 21.12.2020 reflects that there was a restrain order passed by the learned Executive Magistrate. The subject-matter related to egress and ingress in the schedule property. Having considered the nature of the prayer in the application under Section 144 of the Code of Criminal Procedure and the initial order so granted on 21.12.2020, I am of the opinion that with efflux of time, the application/proceedings relating to M.P. Case No. 4909 of 2020 has become infructuous.

In view of M.P. Case No. 4909 of 2020 being infructuous, the revisional application need not be adjudicated on merits.

The parties would be at liberty to exhaust their remedy before the civil court.

With the aforesaid observations, the revisional application being CRR 308 of 2021 is disposed of.

All pending connected applications, if any, are consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)