

D/L39
22.08.2023
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C.R.R.786 of 2023

In Re: An application under Section 482 of the Code of Criminal Procedure, 1973;

Kalidas Bhattacharjee @ Kalidas Bhattacharya
Versus
State of West Bengal and another

Mr. Purbangshu Chandra Mitra
Ms. Piyali Mitra
Mr. Ashik Hossain.
...for the petitioner.

Mr. Saswata Gopal Mukherjee
Mr. Mirza Firoj Ahmed Begg
Ms. Debjani Sahu.
...for the State.

Report submitted by the learned advocate appearing for the State be kept with the record.

Report is enclosed with a statement as well as a declaration of Piyal Chakraborty. The contents of the statement and the declaration do not reflect that there has been an amicable settlement between the parties and she has categorically stated that the mutual divorce was under pressure and threatening.

Considering the same, I am of the view that this Court cannot invoke its jurisdiction under Section 482 of the Code of Criminal Procedure to summarily interfere with the proceedings.

It has been informed that the date for evidence has been fixed on 25th September, 2023. If there are subsequent change of circumstances, the petitioner would be at liberty to approach this Court. In the alternative, the learned trial court is directed to

proceed with the trial of the case which commenced in the year 2018 by fixing at least one date in a month so that the trial of the case can be taken to its logical conclusion within a reasonable period of time.

With the aforesaid observations, CRR 786 of 2023 is disposed of.

Pending application, if any, is 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 of all requisite formalities.

(Tirthankar Ghosh, J.)