

**05.01.2023**

Item No.31  
Ct.No.34  
dc.

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

**C.R.R. 658 of 2021**

**Smt. Ekadoshi Halder  
versus  
State of West Bengal & Ors.**

**In Re:** An Application under Sections 401 and 482 of the Code of Criminal Procedure, 1973.

Mr. Prasun Kumar Datta,  
Mr. Santanu Deb Roy,  
Md. Kutubuddin ... For the State.

This revisional application has been preferred in respect of an order dated 20.01.2021 passed by learned Additional Sessions Judge, Diamond Harbour in Criminal Motion No.22 of 2021 wherein the learned sessions court was pleased to stay the order dated 08.01.2021 passed by learned Executive Magistrate, Diamond Harbour in case No. MF-136 of 2021 under Section 144(2) of the Code of Criminal Procedure.

Mr. Datta, learned advocate appearing for the State submits that the original application before the learned Executive Magistrate has become infructuous by efflux of time.

Having regard to the nature of the dispute which has been complained of, I find that the same is private and personal in nature. There was a restraint order passed by the learned Executive Magistrate on 08.01.2021. Accordingly, the main application before the learned Executive Magistrate has become infructuous. Consequently the case No. MF-136 of 2021 is quashed.

Parties would be at liberty to seek their remedy before the civil court.

With the aforesaid observations, the revisional application being CRR 658 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.)**