

31.07.2023
Item No.32
Ct.No.34
dc.

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

C.R.R. 935 of 2023

In the matter of : **Suchitra Podder** ... Petitioner.

Mr. Shibaji Kumar Das,
Ms. Rupsa Sreemani ... For the Petitioner.

Mr. S. G. Mukherjee, Ld. P.P.,
Mr. Koushik Kundu ... For the State.

Learned advocate appearing for the petitioner is directed to serve a copy of this revisional application upon Mr. Koushik Kundu, learned advocate, who ordinarily appears for the State. His appointment may be regularised by the concerned authorities.

The anxiety expressed by the petitioner is that the petitioner happens to be mother of the opposite party no.2 and mother-in-law of the opposite party no.3 who inflicted torture upon the present petitioner subsequent to which Shyampukur Police Station Case No. 140 of 2019 dated 04.08.2019 was initiated and subsequently charge-sheet was submitted before the jurisdictional court.

The learned Metropolitan Magistrate, 5th Court, Calcutta is in seisin of the matter. The ordersheets reflect that on 01.02.2020, the sum and substance of accusation was read over and the learned court issued summons upon CSW-1. Since then the matter has been pending for recording of evidence and the accused/opposite party nos. 2 and 3 are evading the process of law. No efforts have been taken for execution of return of the warrant of arrest.

Having regard to the subject-matter of the case and the orders so passed and the mode and manner adopted by the accused/opposite party nos. 2 and 3, I direct the learned Metropolitan Magistrate, 5th Court, Calcutta to direct the Deputy Commissioner in-charge of Shyampukur Police Station to take steps for execution of return of the warrant of arrest and submit a compliance report before the learned Metropolitan Magistrate, 5th Court, Calcutta. Thereafter the learned Metropolitan Magistrate, 5th Court, Calcutta would issue harsher process of law. In case the accused persons appear, the learned Magistrate would take into account the factum that the case was initiated in the year 2019 and fix at least one date in a month so that trial of the case can be taken to its logical conclusion within a reasonable period of time.

With the aforesaid observations, the revisional application being CRR 935 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned 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.)