

09-01-2023
Subha
Item no.31
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 746 of 2021

Smt. Mitali Pal & Ors.

-versus-

Aniruddha Mukherjee & Anr.

Re : An application under Sections 397, 401 read with Section 482 of the Code of Criminal Procedure.

Ms. Baisali Basu

.....for the State.

The revisional application was preferred challenging the judgement and order passed in Criminal Appeal No. 02 of 2020 passed by the learned Fast Track Court-II, Sealdah.

By the said judgement and order, the learned appellate court was pleased to set aside the order passed by the learned Judicial Magistrate, 3rd court, Sealdah in Criminal Misc. Case No. 68 of 2019.

By its order dated 3rd February, 2019, the learned Magistrate was pleased to allow the application filed by the opposite parties and declared that the maintainability of the proceedings would create immense hardship on the respondents.

The learned appellate court on an appreciation of the materials placed before it was pleased to allow the revisional application filed at the instance of one Susanta Kumar Pal and Rakhi Pal.

Considering the pros and cons which have been considered by the learned appellate court and there being no question of law involved, I am of the opinion that there is no scope for interference.

Ms. Bailsali Basu, learned advocate appears on behalf of the State.

Having considered the threat of contentions advanced in the revisional application, I direct that the petitioners would be at liberty to canvass the point agitated in the revisional application in course of the trial of the case.

With the aforesaid observations, the present revisional application being **CRR 746 of 2021** is **disposed of**.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]