

20.06.2023
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CRR 1330 of 2011

In the matter of : Krishna Dev Mondal.
.... for the petitioner.

Mr. Ashfaq A. Sanwarwala
.... for the petitioner.

The learned advocate for the petitioner is present. Notice was served upon opposite party No.1. However, none appeared for the same. Notice could not be served upon the opposite party No.2.

Perused the petition under Section 482 of the Code of Criminal Procedure, 1973 and heard the submission of the learned advocate for the petitioner. The parties are known to each other and the dispute concerned about grant of Rs. 2000/- to the accused person which was to be returned on his arrival at his village Bahdia Banka at Bihar after completion of the religious trip from West Bengal to Bihar. However, the petitioner failed to return the aforesaid sum of money whereby the complaint was lodged against the present petitioner who was constrained to file the instant revisional application.

Considerable time has passed and the allegations will not be sustainable in the trial and to allow to continue with the trial will result in wastage of Court's time.

Accordingly, the instant revisional application is allowed.

The complaint made under Section 200 of the Code of Criminal Procedure 1973 and charges under Section 403/406/34 of the Indian Penal Code, 1860 pending before the Court of the learned Chief Judicial Magistrate, Alipore and currently pending before the

Court of the learned 7th Judicial Magistrate Alipore vide case No. C/2931 of 2009 is accordingly quashed.

Copy of the order be sent to the Department as well as trial court for due compliance.

(Ananya Bandyopadhyay, J.)