

22.09.2023

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CRR 1821of 2011

In the matter of : Achintya Kumar Mahapatra.
.... petitioner.

Ms. Faria Hossain
Ms. Baisali Basu
Mr. Anand Keshari

.... for the State.

None appears for the petitioner.

The learned advocate for the State is present.

The report filed by the Additional Sessions Judge, 1st Court, Contai Purba Medinipur dated 05.09.2023 stated that the Criminal Revision Case No. 14 of 2007 was dismissed on contest on 21.03.2011. Let the said report be kept on record.

The opposite party No.2 has expired on 06.04.2016 as per the report of the S.I. of Police, Belda Police Station, Paschim Medinipur dated 09.09.2023 which is supported by a photocopy of the death certificate. Let the same be kept on record.

The report submitted by the Inspector-in-Charge, Contai Police Station dated 04.09.2023 stated that the petitioner could not be found at the recorded address of the petition. Let the said report be kept on record.

The impugned order dated 21.03.2011 passed by the Additional Sessions Judge, 1st Court, Contai, Purba Medinipur in Criminal Revision No. 14 of 2007, inter alia, stated as follows:

“Therefore in view of the evidence recorded before charge the Ld. Magistrate was justified in coming to the conclusion that no case u/s 420/467 IPC against the accused was made out which if unrebutted, would warrant his conviction.

Therefore, having considered the submissions of both sides and after perusing the materials on record and the impugned order I am inclined to hold that the Ld. Magistrate was justified in passing the impugned order and the same should be affirmed.

Hence, it is,

Ordered

That the Criminal Revision case be and the same is dismissed on contest against the O.Ps but without any cost. The order dated 16.08.2007 passed by the Ld. A.C.J.M. Contai in C.R. Case No. 249/04 is hereby confirmed”.

The petitioner has preferred this revisional application against an order of acquittal of opposite party No.2 who has expired.

Under such circumstances, the instant revisional application has become infructuous and disposed of.

Copy of the order be sent to the trial court for information.

(Ananya Bandyopadhyay, J.)