

12.06.2023
Ct. No. 34
Sl. No.60
akd

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

C. R. R. 1916 of 2023

In Re: ***Nymphaea Rubra Paul***

... .. Petitioner

In Re: An application under Section 482 read with Section 483 of the Code of Criminal Procedure, 1973.

Mr. Sabyasachi Banerjee
Mr. Abhra Jena

... .. for the petitioner

Mr. Apalak Basu
Mr. Nazir Ahmed
Ms. Sanghamitra Mridha

... .. for the opposite party no.2

Mr. Palash Ch. Majhi

... .. for the State

Learned advocates for the petitioner, State and opposite party no.2 are present.

It has been informed that the learned Sessions Court in Criminal Motion No.42 of 2020 was pleased to set aside the order dated 11.12.2019 passed by the learned Judicial Magistrate, 3rd Court, Alipore in connection with Regent Park Police Station Case No.100 of 2016. By the same order, learned Additional Sessions Judge, 13th Court, Alipore was pleased to direct the learned Judicial Magistrate, 3rd Court, Alipore to rehear the application after providing adequate opportunity and not being influenced by any observation at his finding.

Learned advocate for the petitioner has expressed his anxiety regarding the case not having progressed for a considerable period of time

in spite of the same being initiated in the year 2016. It has also been notified that the next date has been fixed by the learned Judicial Magistrate, 3rd Court, Alipore on 17.07.2023.

Learned Judicial Magistrate, 3rd Court, Alipore would take all efforts for concluding the hearing on 17.07.2023 or within a week thereafter in respect of the application which was directed to be reconsidered by the learned Additional Sessions Judge, 13th Court, Alipore. Thereafter, the learned court, if it is satisfied in respect of the prosecution charges, fix dates once in a month for taking the trial to its logical conclusion.

Mr. Apalak Basu, learned advocate appearing for the opposite party no.2 submits that opposite party no.2 is presently posted at Chennai. In case he is represented through his lawyer, his application under Section 317 of the Code of Criminal Procedure would be considered in its proper perspective.

With the aforesaid observations, CRR 1916 of 2023 is disposed of.

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

All parties are to act on a 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.)