

03.04.2023

Court No.35
Item No. 43

D.Hira

CRR 2071 of 2016

**Suchetana Sarkar (Ray)
Vs.
Aloke Sarkar**

None appears on behalf of either of the parties. This matter is pending in the list since 23.02.2023 and has been called on each day of working of this Court since that date. In spite of that no one is appearing. The petitioner is found to be not interest in this case. Therefore, the same is taken up today for disposal on merit.

An order dated 16.03.2016 passed by the learned Judge Special Court cum Additional District and Sessions Judge, Alipore, South 24 parganas in Criminal Revision No. 363 of 2015 is under challenge in this case. By dint of the same, the Sessions Judge has affirmed the order dated 22.07.2015 passed by the Judicial Magistrate, 5th Court, Alipore in ACM no. 558 of 2014.

The petitioner has taken up the grounds that in the proceedings under Section 125 of the Code of Criminal Procedure and in the revision both the Courts as mentioned above have acted de hors the provision of law and without application of mind as to the facts of the case.

Hence, the petitioner says that both the orders of the previous Courts are liable to be set aside.

On perusal of the entire materials available on record and the grounds made up by the petitioner I am constrained to find that the grounds thereof are not sufficient and cogent enough to warrant this Court's interference into the impugned order. Hence, in my considered opinion the revision is liable to be dismissed.

Criminal Revision being CRR 2071 of 2016 is dismissed.

All pending applications, if any, are consequently disposed of.

Certified website copies of this order, if applied for, be supplied to the parties subject to compliance with all the requisite formalities.

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RAI
CHATTOPADHYAY

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(Rai Chattopadhyay, J.)