

May 1, 2023
AD – 17
Ct. 34
SG

CRR 2461 of 2021

In Re. An application under Section 483 of
the Code of Criminal Procedure, 1973.

Sri Mahadev Halder
-versus-
The State of West Bengal

Ms. Paulomi Banerjee
... for the petitioner.

Mr. Saswata Gopal Mukherjee
Mr. Arijit Ganguly
Ms. Debjani Sahu
... for the State.

Report submitted by learned counsel for the State be
kept with the record.

Report reflects that learned Additional Chief Judicial
Magistrate, Baruipur has fixed the date viz 21.05.2023 for
execution report of the warrant of arrest of 2 absentee
accused persons viz Swapan Gayen and Binod Gayen and
also in respect of rest of the accused persons who appeared
before the court, leaving aside the accused who have
expired.

In view of the delayed pendency of the case which was
instituted in the year 1997, learned Additional Chief
Judicial Magistrate, Baruipur is directed to commit the
case to the court of sessions on 21.05.2023 or within a
week thereafter. In case all the accused persons appear on
21.05.2023, learned Additional Chief Judicial Magistrate

would commit the case or in the alternative segregate the case from the accused persons who are absent and commit the case to the court of sessions within a week thereafter.

Steps be taken by learned sessions court as already 25 years have expired from institution of the case for which the accused persons cannot proceed with the case.

With the aforesaid observations, CRR 2461 of 2021 is disposed of.

Pending application, if any, is consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)