

D/L31
25.08.2023
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C.R.R.3119 of 2023

In Re: An application under Section 482 read with Section 401 of the Code of Criminal Procedure, 1973;

Subhajit Mondal
Versus
Sushmita Mondal (Das)

Mr. Shibaji Kumar Das
Ms. Rupsa Sreemani.
...for the petitioner.

Mr. Das, learned advocate appearing for the petitioner has drawn the attention of this Court to the earlier order so passed wherein this Court directed on 27.06.2023 to dispose of the application under Section 127 of the Code of Criminal Procedure within 60 days of filing of the same in CRR 270 of 2023. Mr. Das admits that he was out of time for filing the application under Section 127 of the Code of Criminal Procedure before the learned jurisdictional court and the learned Judicial Magistrate has fixed a date of Misc. Case No.280 of 2023 on 22nd November, 2023.

In view of the date already fixed by the learned Judicial Magistrate, 2nd Court, Barrackpore, North 24 Parganas, I direct that within 60 days of 22nd November, 2023 the application under Section 127 of Cr.P.C. be disposed of in accordance with law. The petitioner is directed to continue payment in respect of the amount which has already been decided towards maintenance in the application under Section 125 of the Code of Criminal Procedure.

The execution of warrant of arrest be stayed till the next date, i.e. 22.11.2023 before the learned Judicial Magistrate, 2nd

Court, Barrackpore, North 24 Parganas.

With the aforesaid observations, CRR 3119 of 2023 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.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)