

08.09.2023
Serial no. 13
[G.S.D]

CRR 3320 of 2023

In the matter of : Purnankar Chatterjee

... .. Petitioner

Mr. Apalak Basu
Ms. Pritha Bhaumik Basu
Ms. Smita Mukherjee
Ms. S. Seth
Ms. S. Bose

... for the petitioner

Mr. Baisali Basu

... For the State

Learned Advocate for the petitioner/defacto-complainant of the case is aggrieved by the factum that the application under Section 173(8) of the Code of Criminal Procedure was heard in the month of November, 2022 and, was completely heard on 7th of January, 2023. But till date, the Learned ACJM, Alipore has not pronounced the verdict.

The petitioner is directed to serve a copy of this revisional application upon Ms. Baisali Basu, Learned Advocate, who ordinarily appears on behalf of the State. Her appearance may be regularised by the concerned authority.

The petitioner is the defacto-complainant and obviously a necessary party, who is anxious regarding the materials collected during the investigation.

The further grievance of the petitioner is that some of the persons, who have been the accused in this case, have been made witnesses and further there were deficiencies in the materials for progressing with the trial.

Having regard to the contention so advanced by the petitioner, I am of the opinion that almost eight months have passed since the hearing of the case has been completed.

Hence, I direct that the Learned Magistrate, by 30th of September, 2023, would dispose of the application under Section 173(8) of the Cr.P.C. in accordance with law.

With the above observations, CRR 3320 of 2023 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court at Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formulates.

(Tirthankar Ghosh, J.)