

13.09.2023

Item No.47

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C.R.R. 3391 of 2023

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

Tufan Basak

Vs.

Tumpa Basak

Mr. Asit Baran Raut

Ms. Ishita Raut

... for the petitioner

Petitioner prays for expeditious disposal of Misc. Case No.22 of 2022 which was filed before the learned Judicial Magistrate, 5th Court at Barrackpore.

Attention of this Court has been drawn to CRR 1684 of 2021 wherein this Court directed to dispose of the application in the nature of Section 127 of the Code of Criminal Procedure filed by the petitioner before the jurisdictional Court within a period of three months from the date of filing of the said application, if a fresh cause of action arise.

Learned Advocate for the petitioner submits that the petitioner has retired from service. He has taken out an application under Section 127 of the Code on 31st October, 2022 and it is more 11 months since the application under Section 127 was filed and the same has not been disposed of and the stage of the case is for filing of written objection.

I have considered the submission. Learned Judicial Magistrate, 5th Court at Barrackpore, henceforth would fix one date in a week for the

purpose of the present case so that the application under Section 127 of the Code of Criminal Procedure is disposed of by 31st of December, 2023.

With the aforesaid observations, the revisional application being CRR 3391 of 2023 is disposed of.

Pending connected 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 photostast certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)