

D/L105
14.12.2023
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C.R.R.3945 of 2023

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

Partha Pratim Ghosh and another
Versus
The State of West Bengal and another

Mr. Aniruddha Tewari.
...for the petitioners.

Mr. Kallol Mondal
Mr. Anamitra Banerjee.
...for the opposite party no.2.

Petitioners have challenged the order dated 12.09.2023 passed by the learned Judicial Magistrate, Jhargram in Misc. Case No.5 of 2020 in respect of a proceeding under Section 12 of the PWDV Act, 2005.

I have considered the contentions and I do not find any exceptional circumstance to invoke the jurisdiction of this Court under Section 482 of the Code of Criminal Procedure when the Act provides Section 29 for a statutory appeal in respect of all the orders passed under the provisions of PWDV Act.

Having considered the same, I am of the view that the present application do not call for any interference. The petitioners would be at liberty to approach the jurisdictional appellate court. The appellate court would consider the prayers for condonation of delay in view of the present application pending for a substantial period of time before this Court.

With the aforesaid observations, CRR 3945 of 2023 is disposed of.

Learned advocate on record of the petitioner would be at liberty to take back the certified copy from the department after the same is replaced with the photocopy.

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

(Tirthankar Ghosh, J.)