

23.11.2023
Serial no. 299
[G.S.D]

CRR 4285 of 2023

In the matter of : Namita Dey

... .. Petitioner

MR. A. BOSE
Ms. Ruma Das Maity
Mr. Mridul Biswas

... PETITIONER

Mr. Mirza Firoj Ahmed Begg

... for the State

The petitioner is directed to serve upon Mr. Mirza Firoj Ahmed Begg, Id. advocate, who ordinarily appears on behalf of the State. His appearance may be regularised by the concerned authority.

The present case arose out of Nischinda P.S. Case No. 133 of 2016, wherein after completion of investigation charge-sheet was submitted under Section 498A/506/34 of the IPC and is presently pending before the Id. JM, 6th Court, Howrah.

Ld. advocate for the petitioner submits that the petitioner is aged about 75 years and is bed ridden. The record reflects that the issue relating to charge is being deferred since the year 2019. Almost seven years have passed since the initiation of the instant case.

Having considered the totality of the circumstances, I am of the opinion that, no interference relating to the prayer for quashing can be made at this belated stage.

The Id. JM, 6th Court, Howrah would consider that in case any application under Section 205 of the Cr.P.C. is preferred on behalf of the petitioner, in that case, the same may be considered in accordance with law with proper undertaking and without insisting on physical appearance of the petitioner in the day to day proceedings of the Court. So far as the other issues are concerned, the petitioner would be at liberty to canvass the same at the stage of consideration of charges in course of the trial and at the relevant stage of the proceedings.

With the aforesaid observations, CRR 4285 of 2023 is disposed of.

Pending application, if any, is also disposed of.,

The warrant of arrest which has been issued against the petitioner be kept in abeyance, in case any application under Section 205 of the Cr.P.C. is preferred. The said warrant of arrest may be recalled by the Id. JM, 6th Court, Howrah.

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

(Tirthankar Ghosh, J.)