

30 08.05.2023
(AD) Court No.29
(Dismissed)

C.R.M. 10047 of 2020

In Re: - An application under Section 439(2) of the Code of Criminal Procedure, 1973 for cancellation of anticipatory bail.
And

In the matter of: - Abdur Rahman Mallick

...petitioner.

Mr. Asraf Ali

... for the petitioner.

Mr. Rudradipta Nandy, Ld. APP
Md. Kutubuddin

... for the State.

The application was kept pending since 2020.

The application was taken up for consideration on May 3, 2023 when repeatedly learned Advocate for the petitioner was asked as to whether the petitioner wanted to proceed with the application or not.

Learned Advocate for the petitioner, on instructions, submitted that the petitioner wanted to proceed with the application.

Consequently, an order dated May 3, 2023 was passed directing the State to inform the private opposite parties as to the pendency of the present application.

Learned Advocate appearing for the State submits that the State complied with the order dated May 3, 2023.

Today, learned Advocate for the petitioner submits that the petitioner does not wish to proceed with the present application.

Valuable time of the Court as well as of the State machinery was misutilized by the petitioner.

Therefore, such conduct of the petitioner should not go

unnoticed.

Consequently, it would be appropriate to dismiss the present application with costs assessed at Rs.10,000/- (Rupees Ten Thousand Only) to be paid by the petitioner to the State Legal Services Authority, Kolkata within seven days from date.

In default, the jurisdictional Court will ensure compliance with this order.

C.R.M. 10047 of 2020 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

