

24-01-2024
Subha
Item no. 22
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 27 of 2024

Nahida Parven
-versus-
Sarifur Rahaman

Mr. Navanil De
Mr. Subhrajit Dey
Ms. Mondami Mukherjee

....for the petitioner.

Petitioner is a lady who preferred an application under Section 125 of the Code of Criminal Procedure being M. R. Case No. 88 of 2013. It has been contended that a revisional application was preferred by her adversary before the learned Additional District Judge, Lalbagh being Criminal Revision No. 12 of 2015 wherein a direction was passed thereby calling for the lower court records.

Petitioner submits that thereafter the case records of M. R. Case No. 88 of 2013 are not traceable.

Mr. De, learned advocate appearing for the petitioner submits that the allegations were preferred before the learned Additional Chief Judicial Magistrate, Lalbagh, however the same was not entertained. The petitioner apprehends that the original records may have been misplaced and prays for reconstruction.

I do not find that there is any application, which was preferred before the learned ADJ, Lalbagh who had the occasion to adjudicate criminal revisional case 12 of 2015 wherein the lower court records were called for.

Petitioner is granted liberty to prefer an application on which the learned ADJ, Lalbagh would pass an order as to whether the Criminal Revision 12 of 2015 has been disposed of and as to when the lower court records have been remitted to

the jurisdictional court, if any. If the revisional application is still pending, the petitioner may be allowed to participate in the said revisional application.

With the aforesaid observations, the revisional application being CRR 27 of 2024 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]