

20.05.2024
Serial no. 15
[G.S.D]

CRR 202 of 2024

In the matter of : Majidan Bibi & Ors.

... .. Petitioners

Mr. Amit Singh
Mr. Ajay Kumar Shaw

... for the petitioners

Mr. Debasish Roy
Mr. Arijit Ganguly
Ms. Sreemoyi Roy

... for the State

The petitioner has approached this court invoking the jurisdiction under section 482 of the cr.p.c.

On 1st of February, 2024, when the revisional application was taken up, liberty was granted to the petitioner to file Supplementary Affidavit enclosing the documents under section 207 of the cr.p.c.

The matter again appeared after three months i.e. on 2nd of May, 2024. But, no supplementary affidavit was filed. State was directed to produce the case diary and, the matter was fixed today, i.e. 20th of May, 2024.

Having considered the fact that till date supplementary affidavit has not been filed and the Id. advocate appearing for the petitioner is unable to show before this court regarding the orders of the Id. trial court

and the stage of the proceedings in respect of the Naihati P.S. Case No. 228 dt. 19.4.19 (GR Case No. 8790 of 2019), I am of the view that substantial time has passed since the initiation of the case in the year 2019.

However, the petitioner is granted liberty to approach the Id. trial court at the appropriate stage by invoking the power under section 239 of the cr.p.c. if so advised.

Needless to state that the trial court will take into account the prayer so advanced without being influenced by any of the observations made by this court.

Case diary be returned to the Id. advocate for the State.

With the aforesaid observations, CRR 202 of 2024 is disposed of.

Pending application, if any, is also disposed of.

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

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)