

09.05.2024
Item No.41
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 1899 of 2024

In the matter of : **Firoja Bibi** ... Petitioner.

Mr. Tapan Dutta Gupta,
Mr. Sudhangshu Nath ... For the Petitioner.

Petitioner is aggrieved by the order dated 16.04.2024 passed by learned Executive Magistrate, Baruipur in M.P. Case No. 1265/2024. The enclosed ordersheet reflects that on 01.04.2024, the Executive Magistrate, Baruipur Sub-Division, South 24-Parganas called for enquiry and report by 30.04.2024 regarding the status of the land and status of possession of scheduled land. On 16.04.2024 a put up petition was filed along with an application under Section 144(5) of the Code of Criminal Procedure. Considering the property to be a co-sharer property, the case was dropped.

It was incumbent upon the learned Executive Magistrate to wait till 02.05.2024, the next date so fixed. However, I have considered the order dated 01.04.2024, also the report and the purpose for which it has been called has no foundation so far as the provision of Section 144 of the Code of Criminal Procedure is concerned. That being the scenario the proceedings being dropped is not interfered with. However, I direct the Officer-in-Charge, Bhangore Police Station to see that no breach of peace takes place at the locale which was the subject-matter before the learned Executive Magistrate for a period of two months within which

period, the parties if aggrieved by the circumstances would approach the civil court.

With the aforesaid observations, the revisional application being CRR 1899 of 2024 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)