

16.01.2024
Sl.No. 50
Ct. 32
Amalranjan

CRR 1568 of 2017

Soniya Najmin
Vs.
The State of West Bengal and ors.

Nobody appears on behalf of either of the parties on call. Even on earlier occasion no one represented the petitioners, no accommodation sought for.

This case pertains to the year 2017. The nature of prayer and to avoid further delay record is taken up for the purpose of disposal on merit.

In this case the petitioner has challenged the impugned order dated 20.04.2017 passed by learned Executive Magistrate, Domkal Sub-Divisional Executive Magistrate Court, Domkal in connection with Case no. 533/2017 filed under section 144(2) Criminal Procedure Code, 1973.

On perusal of the application together with annexures thereto and the impugned order, it appears that the learned Sub-Divisional Executive Magistrate, Domkal passed an order on 20.4.2017, inter alia, as follows:

“Heard and considered.

The I/C/O/C- Domkal P.S. – is directed to cause an enquiry into the matter and send a report by 23.5.2017.

He will maintain peace in the meantime strictly.

The B.L. & L.R.O. –Domkal is also directed to enquire into the matter and submit report in detail by 23/5/2017.

On processional status and ownership right over the disputed land.

The O.P. man/O.P. men is/are to be noticed for appearance on the said date.”

The said order was passed on 20.4.2017. In view of the provision as laid down under section 144(4) of the Criminal Procedure Code, no order under this section shall remain in force for more than two months from the making thereof,

“Provided that, if the State Government considers it necessary so to do for preventing danger to human life, health or safety or for preventing a riot or any affray, it may, by notification, direct that an order made by a Magistrate under this section shall remain in force for such further period not exceeding six months from the date on which the order made by the Magistrate would have, but for such order, expired, as it may specify in the said notification”.

In the light of above circumstances, the instant revisional application has become infructuous.

Accordingly, the instant revisional application being **CRR 1568 of 2017** is thus disposed of with the above observation without any order as to costs.

Interim order, if any, stands vacated.

Liberty is granted to all parties to act in terms of the copy of this order downloaded from the official website of this court.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties taking all legal formalities.

(Ajay Kumar Gupta, J.)