

04.07.2024
rc/ct.no.34
Item No.17

CRR No. 2287 of 2024

In the matter of : Satajyoti Chakraborty

.....Petitioner

Mr. Soumyajit Das Mahapatra	
Mr. Supriyo Das	
Ms. Madhurai Sinha	...for the Petitioner
Mr. Binoy Panda	
Ms. Sonali Bhar	for the State

Affidavit of service filed in Court is taken on record.

None appears for the opposite party no. 2 despite service.

The petitioner seeks expeditious disposal of G.R.Case No. 2203 of 2018 pending before the learned Chief Judicial Magistrate, Howrah.

Learned counsel for the petitioner submits that the charge sheet was submitted in the case on February 27, 2019 and cognizance was kept in abeyance since the 2nd opposite party/ defacto complainant filed an application under Section 173(8) of the Code of Criminal Procedure seeking further investigation of the case. The said application is yet to be considered by the learned Court for which the entire proceeding is stalled.

Learned counsel for the State seeks necessary order.

Long time has lapsed since submission of charge sheet and filing the application under Section 173(8) of the Code.

In view of the above, this Court is inclined to hold that the learned Chief Judicial Magistrate, Howrah be directed to consider

and dispose of the application filed by the 2nd opposite party under Section 173(8) of the Code within three months from the next date of hearing fixed before him without granting any unnecessary adjournment to either party, in accordance with law.

The learned Court shall either deal with the matter himself or send it to the Court of the learned Judicial Magistrate at Howrah for disposal at the earliest.

The CRR No. 2287 of 2024 is disposed of accordingly.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

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

(Suvra Ghosh,J)