

04.07.2024
rc/ct.no.34
Item No.20

CRR No. 2326 of 2024

In the matter of : Sunil Kumar Manna

.....Petitioners

Mr. Dipta Dipak Banerjee

...for the Petitioners

Since the innocuous prayer of the petitioner is for expeditious disposal of the case being CN-458 of 2021 pending before the learned Metropolitan Magistrate, 11th Court, Calcutta the matter may be disposed of without service of notice upon the opposite party. The opposite party shall not be prejudiced by an order of expeditious disposal of the matter.

It appears that the matter is pending for recording of plea. In the meantime, the opposite party has filed an application under Section 340 of the Code of Criminal Procedure which is also pending.

Upon consideration of the submission made on behalf of the petitioner, this Court is inclined to hold that the learned Metropolitan Magistrate, 11th Court, Calcutta be directed to record plea on the next date fixed before him. In the event learned Court is not able to record plea on the said date, the same should be recorded within two months therefrom.

It is made clear that pendency of the application under Section 340 of the Code of Criminal Procedure shall not preclude

the learned Trial Court from proceeding with the complaint case being CN-458 of 2021.

CRR No. 2326 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)