

18.04.2024

Court No.32

Item.35.

s.g.

CRR/2021/ 2021

In the matter of: **Md. Shabbir @ Md. Shabbir Khan**
...Petitioners.

Mr. Indrajit Bhattacharjee,
....for the petitioner.

Mr. Saibal Bapuli,
Mr.B.Bhattacharya
....for the State.

Mr. Anindya Sundar Chatterjee,
Mr. Goutam Dinda
....for the K.M.C.

It is submitted by the learned Counsel appearing on behalf of the petitioner that after filing this revisional application the petitioner/accused person preferred an appeal before the Chief Judge, City Sessions Court, Calcutta and the same appeal is registered as Criminal Appeal No. 233 of 2022. In the said appeal stay was granted by the Chief Judge, City Sessions Court, Calcutta against the judgement and order dated 27th February, 2019 thereby the learned Metropolitan Magistrate convicted the petitioner under Section 392 read with Section 610 and 584 of the Kolkata Municipal Corporation Act, 1980.

Under such circumstances the petitioner does not want to proceed with the instant case.

Let CRR 2021 of 2021 is thus dismissed being non-prosecution.

Interim order, if any, stands vacated.

Let a copy of this order be communicated to the learned Magistrate for information and taking necessary steps in the accordance with law.

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

(Ajay Kumar Gupta, J.)