

05-01-2024
Subha
Item no. 17
Ct no.34

*IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction*

CRR 3288 of 2022

***Sk. Mofijul Islam and ors.
-versus-
State of West Bengal and ors.***

Mr. Dhananjay Banerjee
Mr. Prodip Mukherjee
.....for the petitioners.

Petitioners have challenged the continuance of the proceedings relating to MC No. 64 of 2021 before the learned Judicial Magistrate, 3rd court, Hooghly.

As the provisions of the P.W.D.V Act 2005 provides for statutory appeal under Section 29 of the P.W.D.V Act before the learned Sessions Judge, I am of the view that only under exceptional circumstances the power of the High Court can be exercised under Section 482 of the Code of Criminal Procedure.

Petitioners as such are granted liberty to prefer an appeal before the learned Sessions Judge. In case there is any delay the learned Sessions Judge would take into account the period of pendency of the revisional application before this court.

With the aforesaid observations, the revisional application being CRR 3288 of 2022 is disposed of.

Pending applications, if any, are consequently hereby disposed of.

Department is directed to return the certified copy to the

learned advocate on record of the petitioner on the same being replaced by Photostat copies.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]