

D/L160
30.01.2024
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C.R.R.3748 of 2023

In Re: An application under Section 482 of the Code of Criminal
Procedure, 1973;

Asish Das
Versus
Smt. Sefali Rani Das and another

Mr. Debapriya Gupta.
...for the petitioner.

Mr. Ranabir Roy Chowdhury
Ms. Sujata Das.
...for the State.

Ms. Sucharita Biswas
Mr. Bhaskar Datta Gupta.
...for the opposite party no.2.

Petitioner prayed for an adjournment which was rejected by the learned Judicial Magistrate, 4th Court, Howrah in connection with G.R. Case No.1467 of 2003 and the order was passed on 3rd July, 2023. Litigants approached the court for adjudicating disputes and at their convenience they intend to compound the offences. After 20 years if a Magistrate has refused an adjournment application in a case where a son has assaulted his mother, by a single line issuing warrant of arrest, I do not find any illegality in the impugned order.

However, having regard to the fact that both the learned lawyers have been impressing upon this Court that the parties have with passage of time decided to settled their disputes, this Court granted several opportunities to the Investigating Officer to assess

regarding the correctness of the same. There are medical issues as submitted by the learned advocate appearing for the de facto complainant.

Be that as it may, this Court will not wait for an indefinite period for a report to come from the police authorities. If the offences complained of are compoundable in nature, then in that case, if an application is taken up before the learned Judicial Magistrate, 4th Court, Howrah, the learned Judicial Magistrate would dispose of the same adhering to the provisions of law.

With the aforesaid observations, CRR 3748 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

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

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

(Tirthankar Ghosh, J.)