

13..03.2025

Ct.07

PG./KS

Item No. 22

C.R.R. 350 of 2015
Mrs. Daliya Chakraborty
-Versus
The State of West Bengal & Anr.

This is an application under section 482 read with section 401 of the Code of Criminal Procedure, 1973 to quash the proceedings arising out of Dum Dum Police Station Case No. 459 of 2011 dated 26.09.2011 under sections 417/419/420/465/468/120B and 34 of the Indian Penal Code, 1860, pending before the learned Additional Chief Judicial Magistrate, Barrackpore.

The matter appeared in the list on 13.02.2015, when a coordinate Bench of this Court was pleased to direct the petitioner to serve copy of the petition upon the opposite party no. 1, through the learned Public Prosecutor, High Court, Calcutta and upon the opposite party no. 2 by registered post with acknowledgement due and file the affidavit of service on the next date. Further direction was given to the appear the matter in the list after two weeks.

Long thereafter, on 01.07.2022, the matter appeared in the list when none appeared on behalf of the petitioner. Mr. Imran Ali and Mrs. Debjani Sahu, learned advocates were requested to appear in this case on behalf of the opposite party no. 1, State of West Bengal and State was further directed to submit a status report regarding the proceedings before the trial Court.

On 13.07.2022, none appeared on behalf of the petitioner. State was unrepresented. Thereafter on 16.08.2022, learned advocate appearing on behalf of the petitioner submitted that the erstwhile advocate-on-record has already left the profession and accordingly, he needs some time to take steps on behalf of the petitioner. Mrs. Debjani Sahu, learned advocate appeared on behalf of the State. In view of the submission made on behalf of the petitioner, hearing of the matter was adjourned.

Since thereafter, the matter was not published in the list and is running in the Warning List since 20.02.2025. Today also no one appeared before this Court.

Considering the long pendency of the matter and the fact that no stay order was granted and also considering the conduct of the petitioner, this Court is of the view that there is no need to keep the matter pending furthermore or when the matter was running in the Warning List. Hence the instant C.R.R. 350 of 2015 stands dismissed for default.

Let a copy of this order be sent to the Court below by the Department forthwith.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(CHAITALI CHATTERJEE (DAS), J.)