

27.08.2025
Item No.30
Ct. No. 446
PG

C.R.R. 1404 of 2025
Chinmoyee Panda nee Chatterjee @
Chinmoyee Pander
Vs.
Arjun Gupta & Anr.

Mr. Partha Sarathi Das
Mr. Bibek Dey
Mr. Mukesh Khanna
Mr. S.M.U.E. Sadique.....for the petitioner

1. This is an application under section 528 read with section 529 of the BNSS filed by the petitioner for expeditious hearing of the proceeding being Complaint Case vide C. Case No. 127 of 2019 under sections 406/420/467/120B of the Indian Penal Code now pending before the learned Court of Judicial Magistrate, 5th Court at Sealdah.
2. It is submitted by the learned advocate for the petitioner that the Court is lying vacant since long and as the learned Magistrate-in-Charge since busy with various other matters, further proceeding of this case is not being taken up as result of which the petitioner is highly prejudiced.
3. Heard the submission and perused the record. It is seen that the case emanated from an application under section 156(3) of the Cr.P.C. filed by the petitioner seeking necessary order, as prayed therein for a direction to the police authority to take necessary action on the basis of

which the learned Additional Chief Judicial Magistrate took cognizance of the case and converted the said application into Complaint Case vide C. Case No. 127 of 2019 and transferred the same before the learned Judicial Magistrate, 5th Court at Sealdah for conducting further proceeding but there are some laches and gross misconduct on the part of the learned counsel representing the petitioner and at that point of time, there was delay in recording SA and the petitioner on several occasions had to file new vakalatnama to make her new counsels to represent. Ultimately, on 31.07.2024, the SA of the petitioner was recorded and the next date was fixed on 30.09.2024 for necessary order but since thereafter the matter got delayed and till date, the matter has not been proceeded with and the next date is fixed in the month of December, 2025 for the said purpose.

4. Considering the above facts and circumstances and the copy of the order sheets filed before this Court along with the revisional application, the number of dates given for the said purpose the delay is found to be apparent and also the fact that the concerned court is lying vacant. However, the learned Magistrate, who is in-charge of the said Court is directed to make all endeavours to proceed with the case on the next date fixed and to complete the process for which the date is fixed or within a reasonable

time thereafter in case of failure to proceed with the case on the date fixed.

5. With the aforesaid observations/directions the revisional application is disposed of.
6. 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.)