

IN THE HIGH COURT AT CALCUTTA**(Criminal Revisional Jurisdiction)****Appellate Side****Present:****The Hon'ble Justice Ananya Bandyopadhyay****CRR 2412 of 2025****Suraj Sur****vs.****The State of West Bengal & Anr.****For the Petitioner**: Mr. Bratin Kumar Dey
Mr. Joydeep Das

Heard on

: 03.09.2024

Judgment on

: 03.09.2024

Ananya Bandyopadhyay, J.:

1. The learned advocate representing the petitioner submitted to have filed the instant revisional application being aggrieved by the order dated 27.03.2025 and 25.04.2025 passed by the learned Judicial Magistrate, 3rd Court at Chandannagar in P.S. Case No.112 of 2012 filed under Section 341/323/465/471/506 of IPC in connection with G. R Case No.619 of 2012.

2. The learned advocate representing the petitioner submitted that the opposite party no.2 being Shampa Sur despite being directed to be present before the trial court vide order dated 28th February, 2025 did not appear before the learned court of the Judicial Magistrate as aforesaid for her appearance however, filed application under Section 317 of the Cr.P.C which was granted time and again disregarding direction of the learned Judicial

Magistrate, 3rd Court, Chandannagar, Hooghly, as stated in order dated 28th February, 2025.

3. The learned advocate representing the petitioner apprehended that the opposite party no.2 being accused of under aforesaid section could flee from the jurisdiction of the learned trial court which would hinder the progress of the proceeding pending before the trial court, the order dated 28.02.2025, 27.03.2025 as well as 25.04.2025 appeared to have been passed by three distinct Presiding Officers in the 3rd Court of Judicial Magistrate, First Class, Chandannagar, Hooghly whether the intent of the order dated 28.02.2025 was informed to the presiding officer on the subsequent dates was not conspicuous from the order dated 27.03.2025 as well as 25.04.2025. The learned Judicial Magistrate, First Class, 3rd Court, Chandannagar, Hooghly, who is presently the Presiding Officer the said court is to take note of the order dated 28.02.2025 and ensure the presence of the opposite party no.2 to enable the court to proceed with the trial with further directions that the presence of the opposite party no.2 as and when required by the trial court should be strictly adhered to.

4. A copy of the order be communicated to the learned Court of Judicial Magistrate, 3rd Court, Chandannagar, Hooghly as well as the learned APP.

5. CRR 2412 of 2025 stands disposed of.

6. Urgent certified website copy of this judgment, if applied for, be supplied expeditiously after complying with all, necessary legal formalities.

(Ananya Bandyopadhyay, J.)