

16.09.2025
Item No.22
Ct. No. 446
RP

CRR 3762 of 2025

In the matter of : Rebeka Sultana

... Petitioner

Ms. Hena Kawshar

....For Petitioner

1. This instant application has been filed under Sections 528 of BNSS, 2025 for expeditious and proper disposal of the proceeding in connection with GR No.1856 of 2016 arising out of Chanditala Police Station Case No.397 of 2016 dated 19.08.2016 under Section 341/323/325/354/313/506/34 of the Indian Penal Code pending before the learned Additional Chief Judicial Magistrate at Serampore, Hooghly.
2. Learned advocate representing the petitioner submits that on the basis of the complaint lodged by the present petitioner a case was started and after investigation charge sheet was submitted on 30th September,2016 with abovementioned charges. Subsequently one Narazi application was filed, which was pending for disposal. The matter is kept pending before the learned Court since 2016 and till date on account of frivolous adjournment taken by the opposite parties/accused persons herein.

Heard the submission and perused record and certified copy of the order sheets filed before this Court. The complaint was filed way back in the year 2016 and charge sheet was also submitted in the year 2016 and an application under Section 173(8) CrPC was filed long back on 20.04.2017 and several dates were fixed for hearing of the said petition but it was not heard on account of absence of the accused persons after allowing their prayer under Section 317 CrPc. On 27.11.2017 the said petition was heard and on 05.01.2018 the order was passed and the record was sent back to the Court of the learned Additional Chief Judicial Magistrate, Sreeampore, Hooghly for disposal of the said petition and since thereafter hearing of such application is pending. On 28.11.2024 the de facto complainant 'Not Pressed' the said application and the date is fixed for hearing.

3. This matter is taken up without serving any notice upon the opposite parties since the opposite parties will not be prejudiced, if any, order is passed for expeditious disposal of the case. After careful scrutiny of the entire facts and circumstances of the case, this Court is of the view that the learned Court is directed to make all endeavour to dispose of the case at the earliest considering long pendency of the matter and without

giving any unnecessary adjournment to either of the parties. It is undisputed that the application had to be 'Not Pressed' after 7 years from the date of filing the application under Section 173(8).

3. In view of the above, this application is disposed of.

4. Urgent Photostat certified copy of this order, if applied for, be delivered to the learned advocates for the parties, upon compliance of all formalities.

(Chaitali Chatterjee (Das), J.)