

CRR No. 4680 of 2024

In the matter of : Madhu Bhandari .. petitioner.

Mr. Moyukh Mukherjee
Ms. Sagnika Banerjee
Ms. A. Bazaz
Ms. Sarmistha Basak ...for the petitioner.

Mr. Sandipan Ganguly
Mr. S. Chowdhury
Mr. Raja Baliyal
Mr. R. Ganguly ...for the opposite party.

Mr. Debasish Roy
Mr. Arijit Ganguly
Ms. Manasi Roy ...for the State.

Heard learned counsels for the parties.

The petitioner seeks expeditious disposal of the application filed by her under Section 451 of the Code of Criminal Procedure before the learned Trial Court.

Learned counsel for the petitioner submits that the next date of hearing of the application has been fixed on 5th February, 2025.

Learned counsel for the private opposite party produces copy of the order passed by the learned Chief Judicial Magistrate, Alipore on 12th December, 2024 in CGR Case No.955 of 2019 wherein the learned Magistrate has held that the hearing of the matter be deferred since

the investigating officer was absent and no report was submitted by him despite specific order of the Court.

Since the innocuous prayer of the petitioner is for expeditious disposal of the application filed by her under Section 451 of the Code before the learned Magistrate, the learned Magistrate is directed to consider and dispose of the application on the next date of hearing fixed before him and if the same is not possible due to unforeseen reasons, within two weeks thereafter, without granting any unnecessary adjournment to either of the parties, in accordance with law.

The investigating officer is directed to remain present before the learned Magistrate on the date fixed before him along with the report as directed by the learned Magistrate.

Before parting with the record, it is necessary to record that learned counsel for the private opposite party points out that in the copy of the affidavit appended to the revisional application served upon the opposite party, the age of the petitioner is found to be blank whereas in the original copy, the age is recorded as 70 years in ink. In the said affidavit the stamp of the filing clerk of this Court appears to be put on 22nd October, 2024. According to the learned counsel, this indicates subsequent interpolation in the original affidavit appended to the revisional application.

Learned counsel for the petitioner denies and disputes the said contention of the opposite party.

On prayer of the opposite party liberty is granted to take necessary steps in this regard.

The revisional application being CRR 4680 of 2024 is disposed of.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)