

15.06.2026

Serial no. 48

[Srimanta]

Ct. No. - 29

CRR 173 of 2026

In re : An Application under Sections 125 of the Code of Criminal Procedure, 1973 corresponding to Section 529 of the Bharatiya Nagarik Sureaksha Sanhita, 2023

-And-

In the matter of : TANUMOY DAS

... .. Petitioner

Mr. S. P. Dalapati,

Mr. Asumdipta Santra, Advocates

... .. *For the Petitioner.*

1. Petitioner herein is aggrieved with the inordinate delay caused in disposal of her application filed under Section 125 of the Code of Criminal Procedure which is now pending before learned Judicial Magistrate, 2nd Court, Barrackpore. It is alleged that since the date of filing of the application the opposite party continuously took time with intent to delay the proceeding and the Court below mechanically allowed the same. Learned Court below on 17.02.2023 allowed the interim application and fixed next date for evidence but since that date the opposite party herein took adjournments on multiple dates with intent to drag the proceeding and till date only part examination-in-chief has been adduced by the opposite party/wife. Therefore, he has prayed for a direction upon Court below

for expeditious disposal of the said maintenance proceeding.

2. Having heard learned Counsel for the petitioner it appears that the prayer made in the petition is innocuous and if it is allowed in terms of the prayer made in the application the opposite party will have no cause to prejudice and as such service of copy of application upon the opposite party is dispensed with.
3. Having considered the submission made on behalf of the petitioner that the trial has got stalled for about three and half years, I find that the prayer made by the petitioner is justified and required to be allowed to secure ends of justice. In view of above the instant application being CRR/173/2026 is hereby disposed of with a direction upon the Court below to make every endeavour for expeditious disposal of the proceeding being Maintenance Case No. 840/2021 presently pending before learned Additional Judicial Magistrate, 2nd Court, Barrackpore and to make his best effort to conclude the entire proceeding preferably within a period of three months from the next date of hearing.

(Dr. Ajoy Kumar Mukherjee, J.)