

06.03.2026
Item No.37
Ct. No. 34
nb

CRR 802 of 2026

In the matter of: **Dhiraj Mondal alias Dhiraj Kumar Mondal.**

..... petitioner.

Mr. Augshuman Chakraborty,
Mr. S.S. Saha,

....For the Petitioner

1. This revisional application has been filed for direction upon the learned Court of Additional Chief Judicial Magistrate, Barasat, North 24 Parganas for expeditious disposal of the proceeding pending before the learned Court being GR No.2381 of 2017 arising out of Madhyamgram P. S. Case No.513 of 2017 under Sections 498A/323/506/34 of the IPC.
2. It is submitted by the learned advocate for the petitioner that the present petitioner is husband and his pensionary benefit is not disbursed in his favour because of the pendency of this proceeding lodged of his wife/ defacto complainant under Sections 498A/323/506/34 of the IPC.
3. Learned counsel for the petitioner draws the attention of this Court to the orders passed starting from cognizance till issuance of witness warrant, which reveals that the cognizance was taken in the year 2017. The charges were framed on February 2, 2019 and the witness warrant was issued on August

13, 2019. Despite repeated direction, such witness warrant was not executed. Hence, the matter kept pending and lastly on July 9, 2025 also no ER of WWA was received and the date has been fixed long after in the month of March 2027. It is astonishing that since long, the matter can be pending only for execution of the witness warrant against the CSW 1.

4. It is further seen that the present petitioner is a retired person and his mother is an aged and ailing lady and it goes without saying that long pendency of the proceeding is definitely causing serious mental agony.

5. After hearing the submission and in view of the above facts and circumstances, this court of the view that matter should be heard as expeditiously as possible by the learned Magistrate without giving any unnecessary adjournment to either of the parties.

6. It is glaring visible that the next date was fixed on March 11, 2027 after July 9, 2025 i.e. almost after two years, and the learned Magistrate while dealing with the matter ought to have been more careful while fixing dates. This Court is not oblivious of the huge pendency before the learned Court but on going through the record it is directed that the learned Magistrate must take all steps and make but endeavour to dispose of the proceeding as expeditiously as possible and if possible by preponing the date so fixed for ER of WWA after taking all necessary steps.

7. The learned Magistrate further to take up the issue of non-execution of warrant at the time of meeting of monitoring committee with the learned Judge in order to enable the Court to proceed with the cases, which are pending since long.

8. It is made clear that since the revisional application filed only for expeditious disposal of the matter, this Court has not entered into the merit of the case.

9. The department is directed to forward the copy of the order to the learned Court for taking appropriate steps on earliest.

10. Accordingly, this revisional application is disposed of.

11. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(CHAITALI CHATTERJEE (DAS), J.)