

27-01-2026
ct no. 32
Sl. 109
sp

C.R.R. 3079 of 2017

Pasupati Biswas

-Versus-

The State of West Bengal & Anr.

1. The petitioner has preferred this application under Section 482 of the Code of Criminal Procedure, 1973, seeking quashing of the proceeding being Canning MP. Case No. 1145 of 2017 filed under Section 144(2) of the Criminal Procedure Code including the purported order dated 18.08.2017 passed by the learned Executive Magistrate, Canning Sub-Division, South 24-Parganas.
2. By the said order, the Executive Magistrate held as under:-

“Seen the petition-144 (2) Cr. PC Heard the Ld. Advocate for the petitioner, Examined the relevant papers and documents considered.

B.L. & L.R.O. Gosaba is hereby directed to enquire and report within 15 days. Officer-in-Charge, Gosaba police Station is hereby directed to enquire and report within 15 days and to see that no breach of peace takes place over the suit Land. Seen the

previous case resend vide MP Case No. 572/17 And also seen the BL & LRO report.

As per report FP is in possession. So O/C concern is directed to ensure the FP. Cultivation and the suit land and maintain peace by rendering police help if necessary. Send a compliance report.”

3. None appears on behalf of the parties at the time of call. No accommodation is sought for.
4. This case is pending since 2017.
5. Considering the nature of prayer and long pendency, this Court finds that in view of Section 144 Sub-Section (4) of the Cr. P.C., no order shall remain in force for more than two months from the making thereof:

Provided that, if the State Government considers it necessary to do so for preventing danger to human life, health or safety or for preventing a riot or any affray, it may, by notification, direct that an order made by a Magistrate under this section shall remain in force for such further period not exceeding six months from the date on which the order made by the Magistrate would have, but for such order, expired, as it may specify in the said notification.

6. In view of the above facts, the impugned order under challenge has no force after expiry of 8

years. Therefore, the instant revisional application has no merit.

7. Accordingly, **CRR 3079 of 2017** is, thus, **dismissed**.
8. Interim orders, if any, stand vacated.
9. Connected applications, if any, are also disposed of.
10. Let a copy of this order be communicated to the learned Trial Court for information.
11. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Ajay Kumar Gupta, J.)