

ITEM NO.25

COURT NO.1

SECTION II-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s).6171/2023

(Arising out of impugned final judgment and order dated 28-03-2023
in CRR No. 247/2020 passed by the High Court at Calcutta)

HASIN JAHAN

Petitioner(s)

VERSUS

THE STATE OF WEST BENGAL & ORS.

Respondent(s)

(FOR ADMISSION and I.R.)

Date : 06-07-2023 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Mr. Deepak Prakash, AOR
Mr. Raneev Dahiya, Adv.
Mr. Pawan Kr. Dabas, Adv.
Mr. Nachiketa Vajpayee, Adv.
Ms. Divyangna Malik, Adv.
Mr. Rahul Lakhera, Adv.
Mr. Shyam Nair, Adv.
Ms. Vishnu Priya, Adv.
Mr. Vardaan Kapoor, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

1 Jadavpur Police Station Case 82 of 2018 dated 8 March 2018 for alleged offences punishable under Sections 498A and 354 of the Indian Penal Code 1860 is pending before the Additional Chief Judicial Magistrate¹, Alipore, South 24 Parganas. A warrant of arrest was issued by the ACJM on 29 August 2019

1 "ACJM"

against the third respondent. A revision was filed before the Sessions Judge, South 24 Parganas against the warrant of arrest which was issued by the ACJM. By an order dated 9 September 2019, the Sessions Judge stayed all further proceedings in the above criminal case till 2 November 2019. Thereafter, the proceedings have not been heard and a stay on the trial has continued over the last four years.

- 2 Having regard to the above backdrop, we find merit in the grievance of the petitioner that there is no justification for continuing with the stay of all further proceedings when the revision arose out of the issuance of a warrant of arrest. We accordingly direct the Sessions Judge to take up the criminal revision and to dispose it of within a period of one month from the date of receipt of a certified copy of this order. If that is not possible for the Sessions Judge due to the exigencies of work, the Sessions Judge shall peremptorily dispose of any application for vacating or modification of the stay which has been granted in the above case, within the same period.
- 3 Having regard to the order which has been passed hereinabove, it is not necessary to issue notice to the respondents.
- 4 The Special Leave Petition is disposed of in the above terms.
- 5 Pending application, if any, stands disposed of.

(SANJAY KUMAR-I)
DEPUTY REGISTRAR

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR