D/L – 9
15/10/2026
Court No.42
S.Kundu

CRR 2039 of 2023

Surajit Patra & Anr.
Vs.
State of West Bengal & Anr.

Mr. Ramashis Mukherjee
Mr. P. Karan Singh

...for the petitioners.

1. Learned counsel for the State, in compliance with the order dated 07.10.2026, has filed a report of the Officer-in-Charge, Sagar Police Station stating that the petitioners have been duly informed through the jurisdictional P.S. on 14.10.2026 that the present matter will be taken up by this Court on 15.10.2026.
2. Learned counsel for the State files another Execution Report dated 21.09.2026, as submitted by the said Officer-in-Charge, Sagar Police Station, regarding service of notice upon the Opposite Party No. 2 intimating the date of hearing of the matter, annexing the receipt acknowledgment of the said Opposite party dated 20.09.2026 on the said notice copy.
3. Learned counsel for the State also files a Status Report dated 21.09.2026 of the said impugned criminal proceeding being Sagar P.S. Case No. 115 of 2023, as submitted by the said Officer-in-Charge, Sagar Police Station.
4. Let the said reports be taken on record.

5. Despite proper service, neither the petitioners nor the O.P. No. 2 has entered appearance in the matter.

6. On perusal of said Status Report, it appears that the trial of Special POCSO Case No. 21/23 arising out of the Sagar P.S. Case No. 115 of 2023 dated 07.04.2023 under Sections 323, 344, 363, 365, 376(2)(n), 506(2), 120B IPC, the quashing of which has been prayed for in the present revisional application, has already commenced before the 1st Court of the learned Additional Sessions Judge (Special Court under POCSO), Kakdwip, South 24 Parganas and that the matter is now at the stage of cross-examination of the P.W.1(CSW)/victim girl,.

7. In view of the commencement of trial of the aforesaid Special POCSO Case No. 21/23 arising out of the Sagar P.S. Case No. 115 of 2023 dated 07.04.2023, I am of the view that present criminal revisional application has been rendered infructuous, however justice would be sub-served with the direction upon the petitioner to raise all issues, regarding disputed facts or other grievances before the learned Trial Court.

8. Accordingly, C.R.R. 2039 of 2023 is dismissed as infructuous.

9. The learned Trial Court is requested to make all endeavour to dispose of the said pending criminal proceeding expeditiously in accordance with law, without granting unnecessary adjournments.

10. Any interim order, if operating, stands vacated.

11. There shall be no order as to costs.

12. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Uday Kumar, J.)