

01. dtd. 07.03.2020

The Revisional Application u/s 397/399 Cr.P.C. filed by the revisionists Nirranjan Halder and another against Biswajit Maity and the State of West Bengal challenging the order dated 26.02.2020 passed by the Ld. Executive Magistrate, Sadar, Paschim Medinipur in c/w in Petition Case No.124/2020 u/s 144 Cr.P.C.

Register. Heard Ld. Advocate for the revisionists.

The criminal revision having been filed within time being accompanied by the show cause notice of impugned order and Vokalatnama, the same is admitted for adjudication on merit over the legality and propriety of the impugned order.

Ld. Advocate for the revisionists by filing a separate petition prayed for stay of the impugned order.

Heard. Considered.

Considering the submission of the Ld. Advocate for the revisionists and facts and circumstances of the case, I do not find any good ground or exigency as to why the Executive Magistrate invoked Section 144 of Cr.P.C. awaiting any report. Hence it be proper to stay the operation of the impugned order dated 26.02.2020 passed by the Ld. Executive Magistrate, Sadar, Paschim Medinipur in c/w in Petition Case No.124/2020 u/s 144 Cr.P.C.

Accordingly, the impugned order is stayed. Let the case record be transferred to the Court of the Ld. Addl. District & Sessions Judge, 1st Court, Paschim Medinipur for disposal.

Issue notice upon the O.Ps. Requisite at once.

LCR be called for.

Let the LCR be produced before the transferee Court i.e the Court of Ld. Addl. District & Sessions Judge, 1st Court, Paschim Medinipur by the next date fixed.

To 18.04.2020 for appearance and LCR.

Dictt. and Corrt. by me,

S. J.

Sessions Judge,
Paschim Medinipur