

ORDER SHEET
In the Court of Sessions Judge,
Paschim Medinipur
Criminal Revision No.260 of 2022
Present : Sri Soumendra Nath Das.
Sessions Judge, Paschim Medinipur
J.O. Code No.WB01132,
CIS No.257/2022, CNR No.WBWM01 003249 2022

01. dtd. 13.04.2022

The Revisional Application under section 397/399 of Cr.P.C. filed by the petitioner namely Taibul Ali Biswas against the State of West Bengal challenging the impugned order dated 05.04.2022 passed by the Ld. Executive Magistrate, Sadar, Paschim Medinipur in c/w N.G.R. No.198/2022, corresponding to N.C.R. No.255/2022, u/s 110 of Cr.P.C.

Register. Heard Ld. Advocate for the revisionist.

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 revisionist submits that stereo type order has been passed by the Ld. Executive Magistrate and there is non-compliance of Section 111 Cr.P.C. Ld. Advocate for the revisionist by filing a separate petition prayed for stay of the impugned order.

Heard. Considered.

Considering the submission of the Ld. Advocate for the petitioner and facts and circumstances of the case, and that Section 111 Cr.P.C. has not been complied with and **in view of the judgement passed in 1989 C Cr LR (Cal) 324**, I am inclined to stay the operation of the order dated 05.04.2022. Hence, the impugned order dated 05.04.2022 passed by the Ld. Executive Magistrate, Sadar, Paschim Medinipur in c/w N.G.R. No.198/2022, corresponding to N.C.R. No.255/2022, u/s 110 of Cr.P.C. be **stayed** till disposal of the revisional application.

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.P. 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 19.05.2022 for appearance and LCR.

Dictt. and Corrt. by me,

S. J.

Sessions Judge,
Paschim Medinipur