

06.05.2026

Sl. No.39.

D/L.

Mithun.

Ct.No.29.

CRR/1379/2026

Md. Jem Ali
Vs.
Afsana Khatun

Mr. Biswaranjan Bhakat,
Ms. Shivani Pandey

...for the petitioners

The petitioner herein is aggrieved on the ground that his application under Section 126 of the Cr.P.C. filed on 21st November, 2023 has not yet been disposed of and the Court below without considering his prayer is continuing with the execution proceeding being Misc. Case No.6M of 2023. Learned Counsel for the petitioner submits that appropriate direction may be passed upon the Court below for expeditious disposal of the application filed under Section 126 of the Cr.P.C.

Having heard learned Counsel for the petitioner, it appears that the prayer made by the petitioner is innocuous and if it is allowed, the opposite party will have no cause to prejudice and, as such, service of copy of application upon the opposite party is dispensed with.

Having heard learned Counsel for the petitioner, the instant application being CRR 1379 of 2026 is hereby disposed of with a direction upon the Court below, i.e., learned Judicial Magistrate, 1st Court, Malda to dispose of the petitioner's application filed

under Section 126 of the Cr.P.C. on 21st November, 2023 within a period of 30 days from the next date of hearing.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Dr. Ajoy Kumar Mukherjee, J.)