

17.09.2026
Item No.12 & 13
Ct. No. 34
nb

CRR 1228 of 2023
With
CRAN 1 of 2025
+
CRAN 2 of 2026

In the matter of: **Shahid Rahman & Ors.**

..... petitioners.

With
CRR 3805 of 2023

In the matter of: **Tanyeer Sabiba Boksh.**

..... petitioner.

Md. Sarwar Jahan
Mr. Binay Shaw,
....For the Petitioners.(in CRR 1228 of 2023)
Mr. Pritam Roy,
Ms. Ananya Chakraborty,
.... For the State.
Ms. Tanyeer Sabiba Boksh
... petitioner-in-person
(in CRR 3805 of 2023)
....for the O.P.
(in CRR 1228 of 2023)

In Re. CRR 1228 of 2023

1. The opposite party no.2 /victim appears before this Court in person. At the outset, she has taken a point regarding maintainability of the instant criminal revisional application being CRR 1228 of 2023 only on the point that the revisional applicant has not followed the guidelines of the decision of **Nipun Saxena & Anr. Vs. Union of India & Ors** and the notification issued by the Ministry of Home dated January 16, 2019. In this regard, she has relied upon the decision of **Shiv Kumar**

Kushwaha & Anr Vs. State, which was passed by the High Court of Delhi by a Single Bench.

2. It is further her contention that the matter did not appear in the daily list and CRR 1228 of 2023 was not enlisted and therefore, how the date was fixed for final hearing on February 6, 2026. Primarily on perusal of the record, it appears that the proceeding was filed way back in the year 2023. The matter was admitted on June 9, 2023 and direction was given by the learned co-ordinate Bench to serve copy of the revisional application to the opposite parties. After that the matter also appeared before the learned co-ordinate Bench on September 17, 2025 when the date was fixed for hearing of the matter on February 6, 2025. After that on December 12, 2025, the matter was listed before this Court when none appeared to represent the opposite party no.2.

3. However, petitioner was directed to serve notice once again to the opposite party no.2 through registered post with AD and file affidavit of service on the next date of hearing.

4. In compliance to the same, affidavit of service filed before this court, the matter was taken up on February 6, 2026. Now the question has been raised that on February 6, 2026, the matter was not running in the daily list. In order to ascertain, the actual scenario direction is given to the IT Department, High Court, Calcutta to provide the details of this proceeding when

this matter was listed and whether it was running in the Monthly List February 2026 and in the Monthly List of June 2026.

5. The opposite party appears in-person has raised preliminary point of maintainability and matter will be heard on that point on September 22, 2026 under the heading “For Orders”.

In Re. CRR 3805 of 2023

6. The petitioner herself appears in-person and submits that since this revisional application has been filed on her instance by the concerned advocate, who is not followed the norms and procedures in terms of notification and judgment of the Hon’ble Supreme Court and prayed for withdrawal of the revisional application with liberty to file afresh. The prayer stands allowed.

7. The instant revisional application stands dismissed as withdrawal.

8. Liberty is given to the petitioner to file afresh after complying all the formalities.

9. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(CHAITALI CHATTERJEE (DAS), J.)