



**HIGH COURT OF TRIPURA  
AGARTALA**

**CrI.P.No.53 of 2025**

**Sri Jarenjoy Tripura,**  
Son of Sri Priti Bhajan Tripura,  
R/o.- Harachandra Para (Boal Khali),  
P.O.- Raima, P.S.- Raishyabari,  
Dist.- Dhalai, Tripura.

**.....Petitioner(s)**

**VERSUS**

- 1. The State of Tripura.**  
**2. Smt. Pasmita Jamatia,**  
W/o.- Sri Sanjit Noatia  
Of Jampuijala, (Tejali Para), P.S.- Takarjala,  
Presently residing at Melagarh, (North Thibandal),  
P.O. & P.S.- Melagarh,  
Dist.- Sepahijala, Tripura, PIN-799115.  
**3. Sri Sanjit Noatia,**  
S/o- Ramaram Noatia,  
Of Melagarh, (North Thibandal)  
P.O. & P.S.- Melagarh.  
Dist.-Sepahijala. Tripura, PIN-799115.

**.....Respondents.**

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|-------------------------------------------|---|--------------------------------------------------|
| For Petitioner(s)                         | : | Mr. Dharendra Singha, Adv.                       |
| For Respondent(s)                         | : | Mr. Raju Datta, P.P.,<br>Mr. Richard Sinha, Adv. |
| Date of Hearing                           | : | सतमेव सते 15.06.2026                             |
| Date of delivery of<br>Judgment and Order | : | 17.06.2026                                       |
| Whether fit for<br>Reporting              | : | NO                                               |

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**HON'BLE MR. JUSTICE BISWAJIT PALIT**

**Judgment & Order**

This petition under Section 482 of Cr.P.C. is filed for  
quashing/setting aside the impugned order dated 15.09.2025

passed by Learned J.M. 1<sup>st</sup> Class, Ganda Twisa, Dhalai, Tripura in connection with case No.PRC(WP) 16 of 2023.

**02.** Heard Learned Counsel, Mr. Dharendra Singha appearing on behalf of the petitioner and also heard Learned P.P., Mr. R. Datta appearing on behalf of the State-respondent and further heard Learned Counsel, Mr. Richard Sinha appearing on behalf of the defacto-complainant.

**03.** At this stage, Learned Counsel for the petitioner submitted that before the Learned Trial Court the present petitioner filed one petition during the stage of 313 of Cr.P.C. for further investigation on the ground that in course of investigation the I.O. did not seize the mobile set nor collected the CDR reports and also the voice message, as a result of which the actual truth could not come out and if the prayer for further investigation is not allowed then the very purpose of the case filed by the petitioner would be frustrated. But the Learned Trial Court did not consider the same and rejected the application. So, Learned Counsel prayed for setting aside the said order and to pass an order for further investigation.

Reliance was placed upon one citation of the Hon'ble Apex Court in **Rampal Gautam and Others vs. State by Mahadevapura Police Station** reported in **(2025) SCC OnLine SC 1231** wherein in para No.12 the Hon'ble Apex Court observed as under:

**"12. At the outset, we may record that a direction to conduct further investigation even after filing of the chargesheet and commencement of the trial is permissible in law as has been held by a catena of judgments of this Court. Reference in this regard may be made to *Hasanbhai Valibhai Qureshi v. State of Gujarat:(2024) 5 SCC 347* wherein, this Court observed that the prime consideration for directing further investigation is to arrive at the truth and to do real substantial justice. The Court further observed that further investigation and reinvestigation stand altogether on a different footing. Even *de hors* any direction from the Court, it is open to the police to conduct a proper investigation notwithstanding the fact that the Court has already taken cognizance on the strength of a police report submitted earlier. However, a caveat was added that before directing such investigation, the Court or the concerned police officer has to apply mind to the material available on record and arrive at a satisfaction that investigation of such allegations is necessary for the just decision of the case."**

Referring the same Learned Counsel submitted that in view of the judgment and order of the Hon'ble Supreme Court, the petition filed.

**04.** Learned P.P., Mr. R. Datta on the other hand drawn the attention of the Court referring Annexure-3 i.e. the prayer filed by the petitioner on 30.07.2025 and submitted that in the said petition it was specifically mentioned that the case was at the stage of 313 of Cr.P.C. and this petition was filed after a long belated stage. Even immediately after filing of charge-sheet or at the time of commencement of trial the petitioner could file the petition. But he has filed the petition at the belated stage where the evidence is already been recorded. So, Learned P.P. submitted that there is no merit in the petition filed and prayed for dismissal of the application.

Learned Counsel for the respondent-accused submitted that there is no merit in the petition filed by the petitioner and prayed for dismissal of the same.

**05.** Heard the parties and perused the order dated 15.09.2025. On the ground of delay the Learned Trial Court rejected the petition. I have also seen the judgment submitted by the petitioner. In para 14 of the said judgment, Hon'ble the Apex Court also observed that at the belated stage there is no scope to entertain such petition. Here in the case at hand the evidence of the prosecution has already been recorded. The case is at the stage of examination of accused under Section 313 of Cr.P.C. The present petitioner immediately after filing of charge-sheet or during investigation and even during the stage of recording evidence could file such a petition before the Learned Trial Court but the petitioner without doing the same at the time of examination under Section 313 of Cr.P.C. filed the petition before the Learned Trial Court when evidence has already been recorded and as such it appears to this Court that the Learned Trial Court has rightly dismissed/rejected the petition filed by the petitioner.

Accordingly, I find no merit in the petition filed by the petitioner and the same stands rejected being devoid of merit.

Send down the record to the Learned Trial Court along with a copy of this order.

It is further ordered that after receipt of the case record, the Learned Trial Court shall make all endeavour to dispose of the case within a period of three months from the date of receipt of the copy of this judgment/order.

With this observation, this present petition stands disposed of.

Pending application(s), if any, also stands disposed of.

**JUDGE**



**PURNITA DEB** Digitally signed by PURNITA DEB  
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