

19.11.2020

Sl. No.30

Court No.13
BM

CRR 1542 of 2020

**Kamlesh Singh @ Kamalesh Singh
Vs.
State of West Bengal & Ors.**

Mr. Arjun Chowdhury

... for the petitioner

In this revisional application the petitioner has sought for an appropriate order for fair and partial investigation in GR Case No.971 of 2020 under Sections 447/420/465/468/471/323/354/379/506/188/34 of the Indian Penal Code arising out of Matigara Police Station case No.236 of 2020, inter alia, on the grounds that there has been installation of CCTV and CCTV footage are required to be taken note of by the investigating officer to ascertain the occurrence. It is submitted that the petitioner and his family is putting up at the place for last 12 years.

It is further pointed out that the investigation of the case is proceeding as per the version of the defacto complainant whereas the duty of the investigation officer is to investigate without prejudice towards any of the parties. The case is still at the investigation stage.

The petitioner submits that vital electronic evidences in the form of CCTV footage is available at the place of occurrence. It is desired that to unveil the truth the investigating officer will undertake to collect electronic evidence for the purpose of re-investigation.

The petitioner submits that the petitioner is innocent and has been falsely implicated. Such submission at this stage of investigation appears to be premature.

The petitioner may contend before the learned Additional Chief Judicial Magistrate, concerned if there is any short fall in the investigation.

With the above observations the revisional application being CRR 1542 of 2020 together with all the application be disposed of with direction upon the learned Additional Chief Judicial Magistrate, Siliguri to see and watch the manner of investigation undertaken by the investigation authority.

(Shivakant Prasad, J.)