

13.09.2021
tkm/ct 29
sl no. 1

C.R.R. No. 192 of 2010
CRAN 1 of 2010 (Old CRAN 1616/10) (not supplied)
(Via video conference)

In Re : Smt Dipti Biswas

.....petitioner

Mr. Rana Mukherjee
Mr. Pravas Bhattacharya

..... for the State

The matter is fixed today for hearing as “Contested Application”.

Mr. Rana Mukherjee Ld A.P.P and Mr. Pravas Bhattacharya, learned advocate appear for the State. Concerned authority is requested to regularize their appointment in the matter.

On repeated call, none appears for the petitioner.

No affidavit of service has been filed in respect of the opposite party.

Perused the revisional application.

It is contended that neither the statement of the petitioner nor the statement of her listed witnesses mentioned in the petition of complaint were recorded by the police. During the pendency of the case, an application under section 173(8) Cr.P.C was filed by the de facto complainant/petitioner praying for direction upon police for further investigation but the learned Chief Judicial Magistrate, Howrah by the impugned order, rejected the application on the ground of default of the complainant.

When the case was called on the earlier date as well as today, none is found representing the complainant. As such there is no

material before the court wherefrom it can be presumed that despite having sufficient substance learned Chief Judicial Magistrate disallowed the prayer for further investigation.

Case Docket is not produced by prosecution.

In view of above, I find no merit to interfere with the impugned order passed by the learned CJM.

Hence, criminal revision under sections 401 read with section 482 CR.P.C is dismissed on merit.

CRAN 1 of 2010 (Old CRAN 1616/2010) is also disposed of.

Interim order of stay relating to proceeding GR case no. 1742 of 2008 pending before the learned Chief Judicial Magistrate, Howrah which was valid for eight weeks since 1.2.2010 has already been vacated with passage of time.

Let copy of this order be sent to the court of learned Chief Judicial Magistrate, Howrah for information.

Urgent photostat certified copy of this order be given to the parties upon compliance of requisite formalities.

(Ananda Kumar Mukherjee, J.)