

Sr.20
06-09-2021
Subha.
Court no. 34

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE
(Via Video Conference)**

CRR 558 of 2012

**CRAN 2/2017(Old No. CRAN 411/2017
with
CRAN 3/2017(Old No. CRAN 412/2017
with
CRAN 4/2017(Old No. CRAN 413/2017
with
CRAN 5/2017(Old No. CRAN 414/2017
with
CRAN 6/2017(Old No. CRAN 422/2017**

In the matter of : Daga Paper Converter Industries & Ors.
.....petitioners.

In Re : An application under Article 227 of the Constitution of India.

Mr. Sandip Kumar Bhattacharya
Mr. Dipta Banerjee
...for the opposite party no.1.

Mr. Arijit Ganguly,
Mr. Sandip Chakraborty
...for the State.

Mr. Chakraborty, learned advocate appearing for the
State has submitted a report so prepared by a Sub-Inspector

of Police, Anti Cheating Section, Detective Department, Lalbazar.

Let the report as submitted by the S. I., Anti Cheating Sec, DD, Lalbazar through the learned advocate for the State be kept with the record.

The report reflects that the charge-sheet has only been submitted against Mr. Sandip Khaitan and not against the other persons who were named in the F. I. R. I find that the present revisional application was preferred by 11 petitioners who were implicated in the F. I. R. The name of 'Sandip Khaitan' do not reflect as any of the applicant/petitioner in the revisional application before this court. As the police authorities have submitted a report under Section 173 Cr. P.C before the jurisdictional court, I am of the view that the present revisional application is not maintainable.

Mr. Bhattacharjee, learned advocate appearing for the opposite party no.1 prays leave of this court to take up suitable application before the learned Magistrate. Where statutory powers are available, leave of this court is not required and the opposite party no.1 would be at liberty to take up appropriate application before the learned C. M. M court, if so advised.

With the aforesaid observations, the revisional application being CRR 558 of 2012 is dismissed.

All connected pending applications, if any, are consequently disposed of.

Interim order, if any, is hereby vacated.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

(Tirthankar Ghosh, J.)