

28.07.2021
Item no.10
Ct. No.34
CHC

C.R.R. No.559 of 2012
IA NO: CRAN/1/2012 (Old No. CRAN/1426/2012)
(not in file)
CRAN/2/2017 (Old No. CRAN/401/2017)
(not in file)

(Via Video Conference)

In Re: An application under Section 401 read with Section 482 of the Code of Criminal Procedure, 1973.

AND

In the matter of:-

Sailendra Sukhija
... petitioner

The present revisional application has been preferred challenging the proceedings relating to Hare Street Police Station Case No.728 dated 08.10.2011 as also the order dated 26.09.2011 passed by the learned Additional District and Sessions Judge, Fast Track, 8th Court, Bichar Bhawan, Calcutta.

The genesis of the case relates to refusal of an application under Section 156(3) of the Criminal Procedure Code which was preferred before the learned Chief Metropolitan Magistrate, Calcutta. In the revisional application so preferred being Criminal Revision Case No.201 of 2011, the learned Sessions Court on appreciation of the materials and hearing the parties was pleased to set aside the order passed by the learned Magistrate and allowed the revisional application thereby directing the police authority to treat the complaint under Section 156(3) as F.I.R. and investigate into the allegation.

Having regard to the fact that the investigation of the case is under progress and the outcome of the same has not been brought to the notice of the Court and the interim order which was initially granted on 07.03.2012 by a coordinate Bench of this Court was never extended, I am of the view that no interference is called for at this belated stage.

Accordingly, C.R.R.559 of 2012 is dismissed.

Pending application, if any, is consequently disposed of.

Interim order, if any, is hereby vacated.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)