

Sr.23
29-07-2021
Subha.
Court no. 34

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

CRR 573 of 2012

In Re : **Pawan Agarwal & Anr.**

.....Petitioners.

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In the matter of : An application under Section 482 of the Code of Criminal Procedure.

The present criminal revisional application was preferred for quashing of the investigational proceeding arising out of Bhaktinagar Police Station Case No. 19 dated 5.01.2012 under Section 447 of the Indian Penal Code read with 4D of the West Bengal Land Reforms Act, 1955 corresponding to G. R. Case No. 86 of 2012 pending before the learned Chief Judicial Magistrate, Jalpaiguri. At the time of admission of the revisional application on 7th March, 2012, a co-ordinate Bench of this court was pleased to direct the investigation to continue but directed that without the leave of this court chargesheet should not be submitted.

Having regard to the fact that the issues so canvassed in this revisional application relate to question of facts and documents which can be assessed only by the investigating agency, I am of the view that in case the

investigating agency has concluded the investigation and arrived at a finding, the report under Section 173 of the Code of Criminal Procedure should be filed before the jurisdictional Magistrate.

The aforesaid observation makes it clear that no interference is called for. Accordingly, the present revisional application being CRR 573 of 2012 is dismissed.

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

Interim order, if any, is hereby vacated.

Department is directed to communicate this order to the learned Chief Judicial Magistrate, Jalpaiguri for taking necessary steps.

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

(Tirthankar Ghosh, J.)