

Sr. 19
22-07-2021
Subha.
Court no. 34

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

CRR 766 of 2013

In Re : **Md. Jakuruddin Ahammed**

.....Petitioner.

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

This revisional application has been preferred against the order dated 14th December, 2012 passed by the learned Additional District & Sessions Judge, Fast Track Court No. 5, Barasat, North 24 Parganas wherein the learned Sessions Court while exercising its revisional jurisdiction was pleased to dismiss the same with cost of Rs.1000/-.

The subject matter of the revisional application relates to a case under Section 125 of the Code of Criminal Procedure, wherein the learned Chief Judicial Magistrate, Barasat, North 24 Parganas in M. Case no. 586 of 2008 was pleased to reject the prayer for adducing the additional evidence. I find that the order so passed by the learned Magistrate was based on the materials which appeared in the

record and there has been specific observation that there was no pleading in respect of additional evidence required to be adduced. The learned Sessions Judge affirmed such refusal of the learned Magistrate to recall the witness. The order do not suffer from any illegality and as such no interference is called for.

Accordingly, the present revisional application being CRR 766 of 2013 is dismissed.

All 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.)