

16.11.2021

Item No.44
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 1553 of 2021
(Via Video Conference)

Santosh Karmakar
versus
The State of West Bengal & Ors.

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

Mr. Dibyendu Chatterjee,
Mr. Pritam Majumdar,
Ms. Piyali Paul ... For the Petitioner.

Mr. S. G. Mukherjee, Ld. P.P.,
Mr. Arijit Ganguly ... For the State.

Learned advocate appearing for the petitioner submits that the police authorities perfunctorily submitted a report in final form praying for discharge of the accused persons in spite of the fact that the petitioner has been dispossessed and his property has been usurped by the accused persons.

Be that as it may, I find that on 30.06.2021, the learned Magistrate was pleased to issue notice upon the *de facto* complainant and fixed date on 17.09.2021.

The learned advocate appearing for the petitioner submits that on 17.09.2021, an application under Section 173(8) of the Code of Criminal Procedure praying for further investigation has been preferred before the learned Magistrate and the next date is fixed on 21.12.2021.

Considering the anxiety of the present petitioner, I direct the learned Magistrate to consider the application under Section 173(8) of the Code of Criminal Procedure along

with the points canvassed in this revisional application on the next date so fixed. The learned Magistrate would afford an opportunity of hearing and dispose of the application either on 21.12.2021 or within a week thereafter. No further adjournment should be granted to either of the parties.

With the aforesaid observations, the revisional application being CRR 1553 of 2021 is disposed of.

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

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)