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September
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C.R.R. No.1858 of 2012
(Via Video Conference)

In Re: An application under Section 397(1) read with Section 482 of the Code of Criminal Procedure.

Ghanshyam Saraf & Anr.
Versus
Bijoy Pramanick & Ors.

The present revisional application was preferred challenging the order dated 02.03.2012 passed by the learned Judicial Magistrate, 4th Court at Barrackpore in connection with Case No. C 625 of 2010 wherein the learned court was pleased to reject the application filed under Section 245(2) of the Code of Criminal Procedure.

The opinion of the learned court was that until and unless certain additional evidence was recorded it was not possible for the Magistrate to consider any application for discharging the accused under Section 245(2) of the Code of Criminal Procedure immediately after their appearance.

I find no illegality in the observations made by the learned Magistrate while arriving at his conclusion and, as such, no interference is called for.

Accordingly, the revisional application being CRR 1858 of 2012 is dismissed.

Pending application, if any, is consequently disposed of.

Interim order, if any, is hereby vacated.

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

(Tirthankar Ghosh, J.)