

CRR 1651 of 2017
With
IA No:CRAN/8/2019 (Old No: CRAN 2813/2019)

In Re: - An application under Article 227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure;

And

In Re: -Shri Udayan Majumder

Petitioner

Mr. Kallol Mondal

Mr. Krishan Ray

Ms. Amrita Chel

Mr. Souvik Das

Mr. A. Banerjee

.....For the O. P. No.2

Mr. Rana Mukherjee

Ms. Debjani Sahu

Ms. Sujada Das

.....For the State

The revisional application was preferred in respect of the order dated 18.04.2017 passed by the learned Additional Sessions Judge, Barasat, North 24 Parganas in Criminal Revision No. 182 of 2016 wherein the learned Sessions Judge affirmed the order passed by the learned Judicial Magistrate, 1st Court, Barasat in connection with Baghuati Police Station Case No. 101/2013 dated 25.02.13. The order dated 18.04.2017 reflects that the learned Sessions Judge on an appreciation of the reasons assigned by the learned Judicial Magistrate, 1st Court, Barasat was pleased to dismiss the revisional application. The order of the learned Magistrate dated 05.12.2016 reflects that the present petitioner being an accused preferred an application under Section 173 (8) of the Code of Criminal Procedure for further investigation and another application was

filed under Section 239 of the Code of Criminal Procedure. The learned Magistrate in consideration of the materials already collected by the Investigating Agency was pleased to dismiss both the applications.

Having regard to the reasons so assigned more particularly the factual foundation which has been laid down for rejecting the application under Section 173(8) of the Code of Criminal Procedure as also the application under Section 239 of the Code of Criminal Procedure, I am of the view that no interference is called for.

Accordingly, CRR 1651 of 2017 is dismissed.

Pending applications, if any, consequentially stand disposed of.

Interim order, if any, is hereby vacated.

The learned trial court is directed to fix regular schedule of the case of each and every month and take the same to its logical conclusion within a reasonable period of time.

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

(Tirthankar Ghosh, J.)