

10.06.2021
Item no.17.
Court No.34.
AB

(Via Video Conference)

C.R.R. 2445 of 2000

**Gobinda Chandra Parua
Vs
Chandan Kumar Manna & Others**

None appears on behalf of either of the parties.

The present revisional application relates to the judgment and order dated 17.07.2000 passed by the learned Additional Sessions Judge, 5th Court, Midnapore in Criminal Revision No.121 of 1999 wherein the learned Revisional Court was pleased to set aside the order dated 10.02.1999 passed by the learned Sub Divisional Judicial Magistrate, Tamluk in Case No.685C of 1996.

It is seen from the order passed by the learned Sub Divisional Judicial Magistrate, Tamluk that the learned Magistrate was pleased to direct the accused persons to produce the nadabi patra.

The accused persons challenged the said order before the learned Sessions Court thereby invoking its revisional jurisdiction and by a judgment and order dated 17.07.2000 the learned Revisional Court was pleased to allow the prayer of the accused persons thereby setting aside the order passed by the learned Sub Divisional Judicial Magistrate, Tamluk.

As no information has been furnished subsequently regarding the pendency of the main complaint case, which relates to the year 1996, I am of the view that further pendency of the revisional application is unwarranted as the law does not permit the accused person to be compelled to produce any evidence against them. There can be presumptions or other provisions of the Evidence Act, which can be invoked.

Hence, I do not find that the learned Sessions Court committed any illegality by setting aside the order passed by the learned Sub Divisional Judicial Magistrate, Tamluk. As such, no interference is required. The revisional application is, accordingly, dismissed.

C.R.R. No.2445 of 2000 along with all connected applications are dismissed. The Rule is, therefore, discharged.

LCR, if any, be sent down to the Court below forthwith.

(Tirthankar Ghosh, J.)

