

18.11. 2021
item No.41
n.b.
ct. no. 34

(via video conference)
CRR 2132 of 2021

Sachin Kumar Santra & Ors.
Vs.
State of West Bengal

Mr. Arindam Jana,
Mr. Soumajit Chatterjee
...for the petitioners.
Mr. Arijit Ganguly,
Mr. Sujan Chatterjee,
.. for the State.
Mr. Apalak Basu,
Mr. Nazir Ahmed
.. for the opposite party.

Mr. Arindam Jana, learned advocate appearing for the petitioners are aggrieved by the manner in which the opposite party no.2 has invoked the jurisdiction of learned Magistrate in an application under Section 156(3) of the Code of Criminal Procedure.

Mr. Sujan Chatterjee, learned advocate appearing for the State submits that the police authorities are pursuing the investigation and necessary prayers have been advanced before the authorities for verification/clarification/examination of the documents including the records.

Mr. Jana, learned advocate submits that the application under Article 227 of the Constitution of India was not pressed before the court and the same neither caused any wrongful gain or wrongful loss to any of the parties.

Be that as it may, the Investigating Authorities are seeking direction that in all cases they require the presence of the petitioners for the purpose of investigation. Accordingly the investigating authorities would serve seven days advance notice to the petitioners for appearing or producing any documents in relation to investigation of the present case. At this stage when the investigation is in full swing, I am of the view, that the same should not be terminated in the midst of the process which is going on.

Hence, no interference is called for.

Thus CRR 2132 of 2021 is disposed of with aforesaid directions.

All pending connected application, 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.)