

CRR No. 2164 of 2021

In Re : Sukumar GhoshPetitioner.

In the matter of : An application under Section 482 read with Section 483 of the Code of Criminal Procedure.

Mr. Moloy Bhattacharya
Mr. Rajarshi Basu
Mr. Subhrajyoti Ghosh

..... for the Petitioner.

Mr. Karan Dudhwewala

.....for the opposite party no.2.

The petitioner is aggrieved by the order dated 27th July, 2021 passed by the learned Sessions Judge, Bolpur, Birbhum in connection with Criminal Revision No.10 of 2021. The genesis of the revisional application before the Sessions Court was in respect of an order of learned Judicial Magistrate directing the defacto complainant to tender his signature as required by the Investigating Officer. The petitioner before this Court being the defacto complainant from the very inception is reluctant to give his signature as is reflected in the order dated 27th July, 2021 passed by the learned Judicial Magistrate as also in the revisional application which was preferred before the learned Sessions Court.

Be that as it may, the Investigating Officer conducts investigation according to the materials available before him and according to the want of the investigation. A court of law at no point of time can monitor the manner and mode in which the investigation would proceed.

Be that as it may, there is scope for adverse inference/presumption in case the defacto complainant refuses to sign any document as required by the Investigating Officer of the case.

Under such circumstances, the defacto complainant would take his recourse with the Investigating Officer informing him regarding his reluctance.

In view of the observations made by the learned Sessions Court, I am of the view that no interference is called for by his Court.

Accordingly, the present revisional application being CRR 2164 of 2021 is disposed of.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

(Tirthankar Ghosh, J.)