

25.08.2021  
Item no.46  
Ct. No.34  
CHC

**C.R.R. No.2162 of 2019**  
**(Via Video Conference)**

In Re: An application under Section 482 of the Criminal Procedure  
Code 1973 read with Section 401 of the said Code.

AND

In the matter of:-

Ajay Kumar Singh & ors.  
... petitioners

Mr. Rahul Sengupta,  
Mr. Sanjit Kr. Das  
...for the petitioners

Mr. Swapan Banerjee,  
Mr. Suman De  
...for the State

Affidavit-of-service so filed be kept with the record.

Report filed by the concerned Officer of Baranagar Police  
Station be also kept with the record.

Learned advocate for the petitioners submits that there have  
been non compliance of relevant provisions of Section 154 of the  
Code of Criminal Procedure and according to him the learned  
Judicial Magistrate was not empower to pass direction under  
Section 156(3) of the Code of the Criminal Procedure.

Learned advocate submits that as the proceedings were  
initiated in gross violation of the provisions of law the same may  
be quashed.

Mr. Suman De, learned advocate appearing for the State submits that the revisional application was preferred on August 2019 and the charge-sheet was submitted on 22<sup>nd</sup> June, 2019. Once charge-sheet has been filed in connection with the case the manner in which F.I.R. was registered become irrelevant. The investigating authorities on completion of investigation has submitted charge-sheet, *prima facie*, the allegations in the charge-sheet and its accompaniment are to be decided before the court of law.

In view of the aforesaid, I am of the considered opinion that the points canvassed in the revisional application do not require to be appreciated at this stage and as such, no interference can be made in respect of the proceedings which have been challenged before this Court.

Consequently, C.R.R.2162 of 2019 is dismissed.

Pending application, if any, is consequently disposed of.

Interim order, if any, is hereby vacated.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

**(Tirthankar Ghosh, J.)**