

29.07.2021

Item no.11

Ct. No.34

CHC

C.R.R. No.3010 of 2011

(Via Video Conference)

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

AND

In the matter of:-

Subhasis Sinha & ors.

... petitioners

Mr. Arijit Ganguly,

Ms. Manisha Sharma

...for the State

The present revisional application has been preferred against New Township Police Station Case No.114 of 2009 dated 25.10.2009 (G.R. No. 1203 of 2009) under Sections 498A/323/34/406 of the Indian Penal Code. The proceedings at the relevant point of time were pending before learned Judicial Magistrate, 3rd Court, Durgapur.

Records reflect that petitioners approached the court on or about 09.03.2010. The report under Section 173 of the Code of Criminal Procedure/charge-sheet was filed by the investigating agency and Warrant of Arrest was issued against the present petitioner no.1.

Having regard to the fact that the revisional application was preferred at a stage when the documents so proposed to be relied upon by the State was not served upon the petitioners and the materials collected during the course of investigation are not

before this Court, I am of the view that no interference is called for at this premature stage.

Accordingly, C.R.R.3010 of 2011 is dismissed.

Pending application, if any, is consequently disposed of.

Interim order, if any, is hereby vacated.

Learned Judicial Magistrate is directed to take the proceeding/case to its logical conclusion, if the same has not already been concluded.

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

(Tirthankar Ghosh, J.)