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September
23, 2021
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C.R.R. No.3462 of 2012
(Via Video Conference)

In Re: An application under Section 397/401 read with Section 482 of
the Code of Criminal Procedure, 1973.

Abhoy Ghosh
Versus
State of West Bengal & Anr.

Mr. Imran Ali,
Ms. Debjani Sahu.
...for the State.

As none appears for the petitioner or for the State, Ms. Debjani Sahu, learned advocate, who ordinarily appears on behalf of the State, is directed to appear and represent on behalf of the State. Her appointment may be regularised by the concerned authorities.

The present revisional application was preferred against the order dated 13.09.2012 passed by the learned Additional Chief Judicial Magistrate, Arambagh in connection with Goghat Police Station Case No.115 dated 26.12.2006.

The order dated 13.09.2012 reflects that the learned Magistrate was pleased to direct the Officer-in-Charge of Goghat Police Station to further investigate in the case through a different Investigating Officer excepting the Investigating Officer who conducted the investigation and submitted a report under Section 173 of the Code of Criminal Procedure.

Having regard to the reasons so assigned by the learned Magistrate, I am of the view that no interference is called for.

Records of the revisional application reflect that there was no interim order in respect of the further investigation being carried out by the police authorities. Having regard to the same and the order was passed almost nine years ago, I do not think it would be fit and proper to interfere at this belated stage.

Accordingly, CRR 3462 of 2012 is dismissed.

Pending application, if any, is consequently disposed of.

Interim order, if any, is hereby vacated.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)