

18.11.2022

Ct. 30
Sd./36

CRR 134 of 2019

Mr. J.K. Samanta ..For the petitioner.

Mr. S.G. Mukherjee
Mr. N.P. Agarwal ..For the State.

The revisional application is taken up for hearing in presence of the State being led by the learned Public Prosecutor.

By the instant revisional application, the petitioner has prayed for setting aside and quashing of the order dated 21.9.2017 passed the ACJM, Kakdwip, 24 Parganas(S) being G.R. Case No. 447 of 2017.

By the instant order, the learned Magistrate passed the following order:-

“Today is fixed for Evidence. 12 accused are present. Other accused are absent by petition and represent by ld. lawyer. No P.W is present. Issue summons CS W no. 2 & 3.”

It is submitted by the learned counsel for the petitioner that the learned Magistrate is proceeding with the trial without taking cognizance on submission of the charge sheet.

It is unfortunate that the order wherein the charge sheet has been submitted before the learned trial court has not been annexed to the records of the revisional application. Surprisingly, the said order has been

annexed to the copy of the petition served upon the learned Public Prosecutor.

Learned Public Prosecutor is requested to file a copy of the said order dated 10.9.2014 before the Court which may part of this record.

Accordingly, on going through the order dated 10.9.2014, this Court finds that the charge sheet was duly submitted before the learned Magistrate and cognizance was also taken in accordance with law.

Considering the said materials on record and the submissions of both sides, the petitioner's case has no merit and is accordingly dismissed.

Learned Magistrate is directed to ensure that the G.R. Case No. 447/14 is disposed of as expeditiously as possible.

(Shampa Dutt (Paul), J.)