

07.04. 2022
item No.58
n.b.
ct. no. 34

CRR 14 of 2013

Alok Kumar Pal & Ors.
Vs.
Subodh Kumar Chakraborty & Ors.

The present revisional application was preferred challenging the order dated 11.09.2012 passed by the Learned 2nd Judicial Magistrate at Barasat, North 24 Parganas in connection with Complaint Case No.617 of 2007.

The order dated 11.09.2012 reflects that the Learned Magistrate has categorically observed that similar petition with a similar prayer discharge was filed by the accused persons on 2nd January, 2012 and the same was considered by the Learned Magistrate. The Learned Trial Court thereafter proceeded to hold that as there has been no change of circumstances and no new materials have been placed by the petitioners, the Court was not in a position to come to a fresh finding. Accordingly, the Learned Magistrate dismissed the petition dated 16.07.2012 and fixed 26.01.2012 as date for framing of charge.

Having regard to the reasons assigned by the Learned Magistrate, I am of the opinion, no interference is called for.

Accordingly, CRR 14 of 2013 is dismissed.

All pending connected applications, if any, are 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.)