

11-05-2022
Subha
Item no.37
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 107 of 2016

In the matter of : Sanjoy Kumar Ghosh

.....petitioner.

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

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan
.....for the State.

The present revisional application has been preferred for quashing of Burwan Police Station Case No. 530 of 2015 dated 24.12.2015 under Sections 379/411 of the Indian Penal Code and Section 4D of the West Bengal Land Reforms Act and 2/21 of the Mines and Minerals Development Regulation Act, 1957 along with Rule 33 of the West Bengal Mines and Mineral Rules.

The petitioner approached this court immediately after the case was registered on the complaint filed by a Sub-Inspector of Police/Officer-in-Charge of Burwan Police Station. The First Information Report was registered pursuant to four trucks loaded with 400 cft of sand, 2 JCB machines were seized.

Having regard to the fact that the subject matter related to excavation of sand illegally and the interference of the BLRO and the Police Authorities, I am of the opinion that the investigation of the case should be allowed to continue.

As none represented the State, Mr. Sanjib Kumar Dan, learned advocate who ordinarily appears on behalf of the State was directed to represent the State. His appointment may be regularized by the concerned Authorities in due course.

I have also taken into account the issues which have been canvassed in this revisional application and I am of the opinion that the same are question of facts which cannot be interfered at a stage when the investigation of the case is under progress. On a careful consideration of the issues which have been addressed in the revisional application, I am of the opinion that at this stage no interference is called for by this court.

Accordingly, the present revisional application being CRR 107 of 2016 is dismissed.

All pending applications, if any, in connection with the revisional application, are consequently disposed of.

Interim order, if any, is hereby vacated.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]

