

Form No. J(2)

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side

Present:
The Hon'ble Justice Jay Sengupta

CRR 605 of 2022

Paresh Mondal
Vs.
The State of West Bengal

For the Petitioner : Mr. Sumanta Chakraborty

For the State : Mr. S.G. Mukherjee, Ld. P.P.
Mr. Imran Ali
Ms. Debjani Sahu

Heard on : 28th March 2022

Judgment on : 28th March 2022

The Court:

This is an application seeking an expeditious disposal of the application filed by the petitioner for return of articles in connection with a proceeding pending before the learned Chief Judicial Magistrate, Howrah in respect of Howrah GRPS GD Entry No.439 dated 08.12.2021.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a shop owner for silver articles. He runs the said shop along with his employee Apurba Mazumder. On 08.12.2021 he was apprehended on suspicion of commission of theft and of receiving stolen articles and a G.D. Entry was lodged in this regard. The silver articles which were there with him were seized. The petitioner has all documents regarding the ownership of the silver articles in question. He filed an application for return of the articles and the same was kept pending for long. Therefore, he filed a second application for return of articles on 05.01.2022. The same was also kept pending. On 22.02.2022 the enquiry officer again failed to submit a report and the matter had to be adjourned again. The proceeding has remained pending for no fault on the part of the present petitioner.

Learned counsel appearing on behalf of the State relies on an inquiry report for by the Inspector-in-charge, Howrah GRPS dated 25.02.2022 and submits as follows. It appears that the inquiry officer did enquire about the ownership of the ornaments in

question. According to the report, those belonged to the petitioner and the said Apurba Mazumder.

Accordingly, the inquiry officer has appended his 'no objection' in the report about the return of the silver articles to the present petitioner and the said Apurba Mazumder.

A copy of the report filed on behalf of the State is taken on record.

I have heard the learned counsels appearing for the petitioner and the State and have perused the revision petition and the report.

It is unfortunate that an application for return of articles had remained pending for such a long time.

However, it further appears that a report dated 25.02.2022 has already been filed by the inquiry officer. Therefore, the learned Trial Court will be in a position to deal with the said report and dispose of the application for return of the articles in accordance with law.

In view of the above and in the interest of justice, I request the learned Trial Court to dispose of the application (s) filed on behalf of the petitioner for return of

articles as expeditiously as possible without granting any unnecessary adjournment to any of the parties and after hearing the relevant parties.

With these observations, the revisional application is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(JAY SENGUPTA,J)

SB
Item No.67