

31.08.2022
Item no.8.
Court No.238.
AB

CRR No. 456 of 2010

In the matter of : Jiwan Nandi & Anr.

.....Petitioners.

Mr. Navanil De,
Mr. Rajeshwar Chakraborty,
Mr. Srinjan Ghosh,
Mr. Subhrajit Deyfor the Petitioners.

Mr. N. P. Agarwala,
Mr. Pratick Bosefor the State.

This revisional application has been filed praying for quashing of the proceeding being G. R. Case No.4157 of 2007 arising out of Malbazar P. S. Case No.444/07 dated 30.11.2007 under Sections 341/323/506/34 of the Indian Penal Code. The petitioners are the accused persons in the said case against whom the defacto complainant has alleged of causing assault on November 4, 2007.

On behalf of the petitioners, it is submitted that the petitioners at the relevant date and time were discharging their duty as Forest Guards and they have done during discharge of their duty, which is alleged in the instant criminal case against them.

According to the petitioners, there is no cogent or substantive material against them to warrant any criminal

proceeding and the same as started against them may be quashed by an order of this Court.

Mr. Agarwal, learned Advocate, appearing on behalf of the State has left the matter at the discretion of the Court.

Perused the materials available before me. This is a revisional application of 2010, which challenges a proceeding in the Trial Court of 2007. It is reasonably anticipated that the Trial Court in the Court below may have proceeded well by this time.

Accordingly, considering the entire facts and circumstances, I am not inclined to interfere into the proceedings. The instant revision petition is disposed of with the direction that the Trial Court shall take every possible endeavour to expedite the trial.

C.R.R. No.456 of 2010 is, accordingly, disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied expeditiously after compliance with all the necessary formalities.

(Rai Chattopadhyay, J.)