

14.12.2022

Item No.14
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 528 of 2021

**Sanjay Srivastava
versus
State of West Bengal & Anr.**

In Re: An Application under Section 401 read with Section 482 of the Code of Criminal Procedure, 1973.

Mr. Indrajeet Bhattacharjee,
Mr. Saurabh Pandey ... For the Petitioner.

Mr. S. G. Mukherjee, Ld. P.P.,
Mr. Arijit Ganguly,
Mr. Protick Bose ... For the State.

Report submitted by Mr. Arijit Ganguly, learned advocate appearing for the State be kept on record.

This revisional application was preferred praying for direction to dispose of the case arising out of Howrah Police Station Case No. 285 of 2015 corresponding to G.R. Case No. 3222 of 2015 under Sections 420/408 of the Indian Penal Code.

Records reflect that Investigating Officer of the case submitted a final report praying for discharge of the accused/petitioner.

I have checked the allegation which relates to embezzlement of the funds of 'Sarva Shiksha Mission'. The Deputy Commissioner of Police, Central Division, Howrah is directed to reassess the materials collected by the investigating agency and give his finding on the particular

allegation made by the complainant that a mere balance of Rs.4379/- instead of Rs.13,00,000/- was available.

A superior/senior officer referred to above will take into account the totality of the materials appearing in the case, monitor the investigation and if required, he may send further to Q.D.E.B. and submit further report under Section 173 of the Code of Criminal Procedure which would be submitted before the learned Chief Judicial Magistrate, Howrah.

I direct the Deputy Commissioner of Police, Central Division, Howrah in view of his report submitted before this Court to entrust an Investigating Officer of his choice and carry on further investigation. A superior officer in this case would monitor, as public money is involved in this case.

With the aforesaid observations, the revisional application being CRR 528 of 2021 is disposed of.

All pending connected applications, if any, are consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)