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27.09.2022
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C.R.R. No.769 of 2021

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

Laksman Das
Versus
The State of West Bengal & Anr.

Mr. Goutam Banerjee,
Mr. Sandip Kumar Mondal,
Ms. Priya Dey.
...for the petitioner.

Mr. Ranabir Roychowdhury,
Mr. Sandip Chakraborty.
...for the State.

Learned advocate appearing for the petitioner submits that the application under Section 94 of the Code of Criminal Procedure before the learned ACJM, Kakdwip is still pending.

Records of the revisional application reflect that the learned Magistrate was pleased to postpone the issuance of process and directed the Inspector-in-Charge, Kakdwip Police Station to submit a report as to whether the vehicle-in-issue was in illegal possession of the private opposite party no.2.

Without entering into the facts of the dispute, I empower the learned ACJM, Kakdwip to issue harsher process of law in case the Inspector-in-Charge till date has not submitted the report. Learned Magistrate would consider the report and decide the course of action to be adopted. The aforesaid directions would be complied in case the Inspector-in-Charge till date has not supplied the report as called for by the learned ACJM in its order dated 10.02.2021. If

the report of the Inspector-in-Charge prima facie reflects regarding the illegal detention of the vehicle, the learned Magistrate would consider the application under Section 94 of the Code of Criminal Procedure in accordance with law.

With the aforesaid observations, CRR 769 of 2021 is disposed of.

Pending application, if any, is consequently disposed of.

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

(Tirthankar Ghosh, J.)