

03.02.2022

Sl No.4

Ali

Ct. No. 35

C.R.R. 1028 of 2011
(Via Video Conference)

Sri Samarendra Mondal
Vs.
The State of West Bengal

Mr. Bidyut Kumar Roy, Advocate
Ms. Pushpita Saha
Mr. Subham Bhagat

.....For the State

The matter is listed today for hearing.

None appears for the petitioner.

Mr. Bidyut Kumar Roy, alongwith Ms. Puspita Saha, learned advocates who usually appear for the State are present and are representing the State in this revision. The appointment of the advocates may be regularized by the concerned authority.

The petitioner preferred this revision under Section 401 read with Section 482 of the Code of Criminal Procedure praying for expunging his name from the charge sheet No. 53/06 dated 14.06.2006 under Sections 147/148/149/302/448/436/506/120 (B)/34 of the I.P.C. and Section 25/27 of Arms Act, arising out of Sandeshkhali P.S. Case No. 180 dated 26.12.04 on the ground that there is delay in framing of charge as some of the accused persons have absconded and police did not take steps to arrest them. It is the further case of the petitioner that he has been

falsely implicated and in no way connected with the case, which has arisen due to village rivalry. On perusal of the documents, I find that the petitioner Samarendra Mondal is named in FIR. Since, this is a case under Section 302/436 of IPC pending for a long time, there is no reason to expunge the name of the accused/petitioner. The revisional application is therefore, dismissed on its merits.

Let a copy of this order be sent down to the Court of Learned Additional Chief Judicial Magistrate, Basirhat, 24-Parganas (North) for information.

(Ananda Kumar Mukherjee, J.)