

06.05.2022

Item No.36
Ct.No.34
dc.

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

C.R.R. 660 of 2013

**Smt. Sikharani Banerjee & Anr.
versus
The State of West Bengal & Anr.**

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

Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan

... For the State.

As none appears on behalf of the State, Mr. Sanjib Kumar Dan, learned advocate, who ordinarily appears for the State, is directed to appear in this matter and represent the State. His appointment may be regularized by the concerned authorities.

The present revisional application has been preferred challenging the FIR registered in connection with Bally Police Station Case No. 2 dated 02.01.2013 under Section 204(A) of the West Bengal Municipal Act, 1993.

The facts of the case originate from the issues relating to a notice issued by the Municipal Corporation for stopping construction as it was found by the authorities that in spite of such notice being issued, the accused persons continued construction works. Accordingly, a complaint was lodged by the then Chairman of Bally Municipality.

Having regard to the contentions advanced in this revisional application, I find that the same are issues relating to question of facts and no cogent reason on the foundation of

law has been assigned for rebutting the prosecution case. The petitioners approached this Court at a stage when the investigation was in progress. As such, I am of the opinion that no interference is called for.

Accordingly, the revisional application being CRR 660 of 2013 is dismissed.

Interim order, if any, is hereby vacated.

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.

(Tirthankar Ghosh, J.)