

20.07. 2022
item No.35
n.b.
ct. no. 34

**CRR 1122 of 2009
With
IA No. CRAN 1 of 2010)
(Old No. CRAN 2880 of 2010)**

**Debasish Barman
Vs.
State of West Bengal & Anr.**

Mr. Milon Mukherjee, Sr. Adv.,
Mr. Biswajit Manna,
Mr. Santanu Talukdar
.....for the Petitioner

Mr. Arijit Ganguly,
Mr. Sanjib Kr. Dan
.....for the State

Mr. Mukherjee, Learned Senior Advocate appears on behalf of the petitioner.

The present revisional application filed for quashing of the proceeding relating to G. R. Case No. 365 of 2009 arising out of Matigora Police Station case No. 78 dated 19.3.2009.

Today, when the matter has been called Mr. Arijit Ganguly, learned advocate appearing for the State has submitted a report. Report reflects that the Police Authority on conclusion of investigation submitted their report under Section 173 Cr. P.C. as 'mistake of fact'. There is no scope for interfering with the proceeding at this stage, as the Investigating Authority has arrived at a conclusion that no evidence is available.

Report submitted by the learned advocate for the State be kept with the record.

Accordingly, CRR 1122 of 2009 is 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.)