

D/L 2  
April 19,  
2022  
Bpg.

C.R.R. No.1335 of 2018  
With  
CRAN 1 of 2019 (Old CRAN 2678 of 2019)

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

Koushik @ Kousik Chakraborty @ Chakraborty  
Versus  
State of West Bengal & Anr.

Mr. Shibaji Kumar Das.  
...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld.P.P.,  
Mr. Arijit Ganguly,  
Mr. Sandip Chakraborty  
...for the State.

The present revisional application was preferred by one  
Koushik Chakraborty challenging the proceedings arising out of  
Kotwali Police Station Case No.599 of 2014.

Mr. Shibaji Kumar Das, learned advocate appearing for  
the petitioner has repeatedly submitted before this Court that the  
petitioner being innocent has been falsely implicated in the instant  
case and the principal accused who were named by the complainant  
have been left out from the charge-sheet which was submitted.

Earlier, this Court directed the State to assign reasons  
for not submitting charge-sheet in respect of two accused persons,  
namely, Somnath Das and Susmita Mondal. Consequently, the  
State took up further investigation and finally the investigating  
officer after thorough exhaustive investigation has submitted a

report under Section 173 of the Code of Criminal Procedure holding the case to be mistake of fact with a prayer for discharge of all accused persons named therein from the case for want of evidence.

A copy of the report under Section 173 of the Code of Criminal Procedure be kept with the record.

In view of the aforesaid, the revisional application being CRR 1335 of 2018 has become infructuous.

If the case is pending before the learned ACJM, Sadar Court, Nadia at Krishnagar, the same would be deemed to be quashed so far as the petitioner, namely, Koushik @ Kousik Chakraborty @ Chakroborty, is concerned.

Accordingly, CRR 1335 of 2018 is allowed.

Pending application, if any, is consequently disposed of.

Interim order is hereby made absolute.

The investigating officer of the case is present in Court. His further appearance before this Court is dispensed with.

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

**(Tirthankar Ghosh, J.)**