

02.02. 2022
item No.58
n.b.
ct. no. 34

(Via video conference)
CRR 1308 of 2020
With
IA No. CRAN 1 of 2020
+
IA No. CRAN 2 of 2020
+
IA No. CRAN 3 of 2021
Mamata Senapati
Vs.
The State of West Bengal & Anr.

Mr. Jayanta Narayan Chatterjee
Sk. Sahjahan
Mr. Nazir Ahmed
Mrs. Jayasree Patra
.....for the Petitioner

Mr. Sudip Ghosh
Mr. Bitasok Banerjee
Mr. A. K. Dutta
.....for the State.

Mr. Arijit Bera
.. for the Opposite Party

The subject matter of challenge relates to the order dated January 17, 2020 passed by the Learned Chief Judicial Magistrate, Medinipur, Paschim Medinipur in G.R. Case No.2583 of 2017 in connection with Debra Police Station Case No.386 of 2017 dated 02.08.2017.

I have perused the order as also the reasons so assigned by the Learned Magistrate directing further investigation as prayed for by the complainant. The reasons so assigned by the Learned Magistrate are cogent and are on the basis of materials collected by the Investigating Agency which requires to be dealt with in a proper

manner. There is a deviation from the materials and the report so submitted under Section 173 of the Code of Criminal Procedure to that extent the observation of the Learned Magistrate is required to be approved. Since an order for further investigation has been directed, I am not inclined to interfere into the merits of the case regarding the point of maintainability of the proceedings.

The petitioner will be at liberty to agitate the point at the appropriate stage.

No interference is called for as regards the order dated 17.01.2020 is concerned.

The police authorities would try to expedite the progress of the further investigation as the initial investigation was initiated in the year 2017.

With the above observations, CRR 1308 of 2020 is disposed of.

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.)