

D/L10
March 25,
2022
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C.R.R. No.1355 of 2018

In Re: An application under Section 401 of the Code of Criminal Procedure;

Kalpana Sasmal
Versus
The State of West Bengal & Ors.

Mr. Saswata Gopal Mukherjee, Ld.P.P.,
Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan.
...for the State.

Learned Public Prosecutor has submitted a report prepared by the Officer-in-Charge, Amta Police Station which reflects that over the same issue, a specific case was registered being Amta Police Station Case No.77 of 2016 dated 06.03.2016 under Sections 341/325/308/379/34 of the Indian Penal Code with adding Section 304 of the Indian Penal Code.

Let the report be kept with the record.

The present case being Amta Police Station Case No.133 of 2016 dated 12.04.2016 was a subsequent FIR being registered and which is the second FIR and, as such, the report under Section 173 so filed by the Investigating Officer was with the comment on mistake of fact. It was incumbent upon the Investigating Officer to mention in the report regarding Amta Police Station Case No.77 of 2016 which is absent. However, the report so submitted is satisfactory and, as such, no interference is called for regarding the grievance expressed by the petitioner.

Accordingly, CRR No.1355 of 2018 is dismissed.

Pending application, if any, is consequently disposed of.

Interim order, if any, is hereby vacated.

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

(Tirthankar Ghosh, J.)