

In The High Court At Calcutta
Criminal Revisional Jurisdiction
Appellate Side

Item No. 13
28.09.2022
Ct- 551

CRR 1454 of 2018
Birendra Kumar Roy
-versus-
The State of West Bengal & Anr.

Mr. Abhijit Roy
... for the petitioner.

Mr. Prsun Kumar Dutta, Ld. APP
Md. Kutubddin
Mr. Santanu Deb Roy

... for the State.

The State is represented; affidavit of service filed by the petitioner is kept in the record.

CD filed by the state is also kept in the record.

The instant criminal revision has been initiated Under Section 482 of the Code of Criminal Procedure to quash a proceeding being Case No. C/15346/2011 arising out of an application Under Section 200 of the Code of Criminal Procedure, read with Section 341/504/34 of IPC. The present petitioners are the accused before the Learned Court below.

The investigation of the police is ended with the submission final report before the Learned Court below declared the case as 'mistake of fact'.

From the final report of the police it appears that the alleged allegation against the present petitioner has not substantiated by the investigation of the police. Thus, submissions of the final report by the police the criminal proceeding has nothing to proceed further. At this juncture the prayer to quash criminal proceeding become redundant. Therefore, the instant Criminal revision is disposed of as infructuous. It is directed upon the Learned Court below to conclude the proceeding, after complying with the formalities as laid down in the law.

Accordingly the instant criminal Revisional application is disposed of.

CRAN application if any, is also disposed of.

Order of stay passed by this court, if any, is also vacated.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

(Subhendu Samanta J.)