

18.11.2022
Item No.
BR

CRR 1673of 2009

In the matter of : Somnath Biswal

Mr. Milon Mukherjee, Senior advocate,
Mr. S. Sarkar for the Petitioner

The legality and propriety of the proceedings being GR Case No. 1646 of 2007 registered on the basis of an order of learned Chief Judicial Magistrate, Asansol upon petition of complaint filed by Sri Purusottam Sinha under Section 156(3) of Criminal Procedure Code.

Briefly stated the complainant Purusottom Sinha the opposite No. 2 in this petition under consideration was taken to the house of Somnath Biswal the accused no. 1 at the witching hour of night somehow is assaulted who have been arrayed as accused persons. There the complainant was assaulted and was made to sign to some documents on the gun point being realised he made unsuccessful attempt to make the police switching into action and approached the learned Additional Chief Judicial Magistrate by filing a petition under Section 156(3) of Cr P C . Pursuant to the direction by learned ACJM, Asansol (South) Police Case No. 316 of 2007 was registered. Police took up investigation which culminated into submission of charge sheet. This fact prima facie indicates the complicity of the petitioner in the alleged offense. At this stage I do not find any reason to invoke the jurisdiction conferred under Section 482 of Cr P C to quash the proceeding against the petitioner.

The criminal revision is devoid of merit and is dismissed.

Application, if any , is disposed of . Interim order, if any, stand vacated.

Let a copy of the lower Court record be sent to the learned trial Court for information and necessary action. Applications are also disposed of.

All parties are to act on the server copy of this order duly downloaded.

Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Siddhartha Roy Chowdhury, J.)