

27.09.2022

Item No.82
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 1753 of 2021

**Sailendra Nath Chowdhury
versus
The State of West Bengal**

In Re: An Application under Sections 397/401 read with Section 482 of the Code of Criminal Procedure, 1973.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee ... For the State.

The subject-matter of this revisional application relates to the order dated 09.02.2020 wherein the learned trial court being the learned Judge, Special Court, 3rd Court, Barasat was pleased to hold that *prima facie* a case under Section 409 of the Indian Penal Code was established against the accused/petitioner who happened to be the Headmaster of Saibona Agnorenath High School. The subject-matter of the case relates to misappropriation of the money allotted for the mid-day meal. The order dated 09.02.2020 also reflects that dates were fixed for six witnesses in the month of September 2021.

Having regard to the materials which are available and the nature of evidence required for framing of charges, I am of the view that at this stage, it is not possible to ascertain regarding the absoluteness of the evidence, but the records do reflect a grave suspicion against the present petitioner calling for the trial to proceed. As such, no interference is called for.

Accordingly, the revisional application being CRR 1753 of 2021 is dismissed.

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.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)