

17-11-2022
Subha
Item no.32
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1916 of 2021

Sri Sujal Kanti Saha
-versus-
State of West Bengal.

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

Mr. Dipanjan Chatterjee
Mr. Snehansu Majumder
....for the petitioner.

Mr. Madhusudan Sur, Id. APP,
Mrs. Ratna Ghosh
....for the State.

This revisional application was preferred challenging the order dated March 30, 2021 passed by the learned Additional Chief Judicial Magistrate, Tehatta, Nadia in connection with S. L. No. 1184 of 2020 arising out of Tehatta P. S. Case No. 341 of 2020 dated August 19, 2020 under Sections 272/273/420 of the Indian Penal Code read with Section 16 of the Prevention of Food Adulteration Act, 1954.

Mr. Chatterjee, learned advocate appearing for the petitioner prays for return of the seized 18,000 kg of black cumin which were seized in the instant case by the Investigating Authorities. The petitioner approached the learned Additional Chief Judicial Magistrate, Tehatta, Nadia. However, the learned A.C.J.M, Tehatta, Nadia rejected such an application.

Mr. Sur, learned Additional Public Prosecutor appears on behalf of the State and produces the case diary. I find that the

subject matter 18,000 kg of cumin was seized on 19th August, 2020. A sample from the said cumin was sent for analysis on 20th August, 2020 to the Food Analyst by the Deputy Chief Medical Officer of Health, Nadia. The samples referred therein do match with the report of the Public Analyst, which was submitted, opining the same to be unsafe for human consumption.

Having regard to the same, I am not inclined to interfere with the order dated 30th March, 2021 passed by the learned Additional chief Judicial Magistrate, Tehatta, Nadia.

Petitioner will take measures at the appropriate stage of the proceedings, if so advised.

Accordingly, the revisional application being CRR 1916 of 2021 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]

