

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

CRR 2439 of 2022

**Vanu Pratap Singh @ Bhanu Pratap Singh
Vs
The State of West Bengal & Anr.**

**For the petitioner : Mr. Tapas Kr. Ghosh, Adv
Mr. Tanmay Chowdhury, Adv.**

Heard on : 02.09.2022

Judgment On : 02.09.2022.

Bibek Chaudhuri, J.

I have perused the report submitted by the learned Additional Chief Judicial Magistrate, Bishnupur. It is ascertained from the report that the Investigating Officer submitted charge-sheet on 22nd July, 2022 and the case cannot be committed to the Court of Sessions as warrant of arrest is pending against two of the charge-sheeted accused persons.

It is pointed out by the learned Advocate for the petitioner that the instant revision was filed on 1st July, 2022 praying for quashing of G.R. Case No.256 of 2016 mainly on the ground that the Investigating

Agency has failed to file charge-sheet even after expiry of the stipulated period of time of investigation and the learned Magistrate went on extending the period of time for conclusion of investigation mechanically without giving audience to the petitioner / accused.

It is also frankly submitted by the learned Advocate for the petitioner that since charge-sheet has been filed in connection with G.R. Case No.256 of 2016 arising out of Indas Police Station Case No.44 of 2016 and he has already received the certified copies of the documents which he intended to have on behalf of the petitioner, he has no grievance.

Submission of the learned Advocate for the petitioner is recorded.

In view of filing of the charge-sheet in the above-mentioned case, the instant revision becomes infructuous.

At this stage it is submitted by the learned Advocate for the petitioner that the petitioner may be given a liberty to challenge the point of jurisdiction as according to the petitioner the learned Magistrate cannot take cognizance of offence on the basis of the charge when entire incident allegedly occurred in the State of Bihar.

The above point is left open and the petitioner is given liberty to agitate this issue before the Sessions Court at the time of consideration of charge.

With the above observations, the instant revision is **disposed**
of.

(Bibek Chaudhuri, J.)

***Mithun De/
A.R. (Ct).
SI No.1..
D/L.***