

D/L26
08.12.2022
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C.R.R 2022 of 2021

In Re: An application under Section 482 of the Code of Criminal Procedure, 1973;

Indrajit Mandal
Versus
State of West Bengal and another

Mr. Shiba Prasad Bhattacharjee.
...for the petitioner.

Mr. Sanjay Bardhan,
Ms. Manisha Sharma.
...for the State.

Petitioner challenges the notice under Section 67(c) of the N.D.P.S. Act and submits that the notice was issued in the name of Bapi Mandal and there is no person in the name of Bapi Mandal in the family of the petitioner and the Investigating Agency are coercing the petitioner to accept such identity.

Pursuant to the order dated 05.10.2021, Ms. Manisha Sharma, learned advocate, appears on behalf of the State.

I have considered the submissions advanced by the learned advocate appearing for the petitioner and on an assessment of the submissions, I am of the opinion that this Court while exercising its revisional jurisdiction do not have the authority to declare whether the petitioner and the person on whom notice has been served by the NCB Authorities are one and the same person. If the petitioner is aggrieved by the fact that he is coerced by the Investigating Agency then there are other remedies available in law and a notice under Section 67(c) of the NDPS Act cannot be

quashed on such ground. I do not find any reason to interfere in respect of the prayers sought for by the present petitioner.

Accordingly, CRR 2022 of 2021 is dismissed.

The petitioner would be at liberty to avail remedies available under law.

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 of all requisite formalities.

(Tirthankar Ghosh, J.)