

Form J(1)

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

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

CRR 2512 of 2022

**Fransis Anthony & Ors.
Vs.
The State of West Bengal**

**For the petitioners : Mr. Arka Pratim Chowdhury, Adv.,
Mr. Sunny Nandy, Adv.,
Ms. Riya Das, Adv.,
Mr. Subha Pathak, Adv.**

Judgement on : 10.08.2022.

Bibek Chaudhuri, J.

The accused/petitioners have filed the instant revision invoking Section 482 of the Code of Criminal Procedure for quashing of the entire proceedings being South Port Police Station Case No. 54 dated 2nd April, 2022 corresponding to GRNS No. 284/2022 pending before the Learned 2nd Additional Chief Metropolitan Magistrate, Calcutta. It is alleged that the petitioners were arrested in connection with South Port Police Station Case No. 54 dated 2nd April, 2022 and subsequently they were released on bail. They were not named in the FIR. The case under Section 25(1)(a)/29 of the Arms Act were

registered on the basis of recovery of firearms loaded with cartridge from the possession of one Sk. Siraj. Nothing was seized from the possession of the petitioners. They were not involved in any case under any of the provisions of the Arms Act. Therefore, the petitioners have prayed for quashing of entire proceeding in connection with South Port Police Station Case No. 54 dated 2nd April, 2022.

It is ascertained from the submission made by the Learned Advocate for the petitioners that the above-mentioned case is at the stage of investigation. Before conclusion of investigation, the process cannot be directed to be stalled and quashed. Involvement or no involvement of the petitioners is the subject-matter of the investigation of the above-mentioned case. If during investigation Police does not find any material against the petitioners, they will surely be discharged.

However, for this reason a process of investigation cannot be directed to be quashed.

Considering the agony of the petitioners, the instant revision is disposed of directing the Investigating Officer to take all endeavour to conclude the investigation in respect of South Port Police Station Case No. 54 dated 2nd April, 2022 within the timeframe as provided in Section 167 of the Code of Criminal Procedure.

The petitioners are at liberty to hand over a copy of the instant revision to the Investigating Officer who will consider the averment made in the revisional application to ascertain their plea in connection with their ignorance about the alleged incident and consequent false implication in the case.

The Investigating Officer shall consider such averment made in the revision during the course of investigation.

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

(Bibek Chaudhuri, J.)

Srimanta, A.R.(Ct.)
Item No. 316.