

23.08.2022

BP
Sl. 16
Court no.42.

CRR 2286 of 2021
With
CRAN 1 of 2022

In the matter of: Sasthi Roy
...petitioner

Mr. Ranjan Kali
Ms. Nabanita Dutta
Mr. Suraj Bhattacharjee
..for the petitioner

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta
..for the State

Affidavit of service filed in court today be kept
with the record.

It appears on examination of affidavit of service
that in spite of service of notice, the private opposite
party has not entered appearance.

Mr. Ranabir Roy Chowdhury, learned advocate
represents the State of West Bengal.

It is pointed out by the learned advocate for the
petitioner that during the pendency of the instant
criminal revision a Co-ordinate Bench quashed
prosecution report submitted in connection with
N.G.R. No. 773 of 2021 by the Bidhannagar Police
Station under Section 107 read with Section 116 of
the Code of Criminal Procedure in WPA 12742 of 2021

vide order dated 11th February, 2022.

In view of quashment of N.G.R. No. 773 of 2021 in WPA 12742 of 2021, a proceeding under Section 108 of the Code of Criminal Procedure cannot exist. Hence, the instant revision becomes infructuous.

Accordingly, the instant revision is disposed of being infructuous and the interim order passed by this court is vacated. The parties are at liberty to seek for appropriate relief in the trial court in view of the judgment passed in WPA 12742 of 2021 dated 11th February, 2022 in respect of the proceeding under Section 108 of the Code of Criminal Procedure.

(Bibek Chaudhuri, J.)

