

CRR 2738 of 2017
(Via video conference)

In the matter of : Sk. Sirajuddin

.....Petitioner

Mr. Sk. Md. Anwarullah
Mr. Debasis Surfor the petitioner

Mr. Swapan Banerjee
Ms. Purnima Ghoshfor the State

The petitioner is aggrieved by the order dated 1.7.2017 passed by the learned Additional Chief Judicial Magistrate, Alipore, South 24 Parganas in connection with Bansdroni Police Station Case No. 191 dated 9.11.2013.

The contention of the petitioner is that the Investigating Officer has not properly investigated the case.

The observation of the learned Magistrate is that the Investigating Officer made all efforts and attempts in finding out the truth behind the allegation in the petition of complaint and there is no lacunae in the attempt of the Investigating Officer in conducting the investigation.

The learned advocate appearing for the petitioner has expressed his grievance regarding certain specific issues and some of the accused persons not being implicated. I find that the case was registered in the year 2013, more than 9 years have passed. In the meantime, having regard to the period of time which has elapsed, I am of the opinion that no interference should be made at this belated stage so far as the proceedings before the learned Magistrate is concerned.

However, the learned Magistrate would be at liberty to invoke the provision of Section 319 of the Code of Criminal Procedure if materials so surface against any other persons in course of the trial.

With the aforesaid observations, the revisional application being CRR 2738 of 2017 is disposed of.

Pending application, if any, is consequently disposed of.

Interim order, if any, is hereby vacated.

All parties are to act on the server copy of this order, duly obtained from the official website of this Court.

(Tirthankar Ghosh, J.)