

C.R.R 3699 of 2022

In Re : An application under Section 483 read with Section 482 of the Code of Criminal Procedure, 1973;

In Re : Ajoy Kumar Sharma

....Petitioner

Mr. Pawan Kumar Gupta
Mr. Amitava Ray
Ms. Sofia Nesar
Mr. Santanu Sen

.....for the petitioner

Mr. Rudradipta Nandy
Ms. Manasi Roy

.....for the State

The petitioner who is the defacto-complaint is aggrieved by the charge-sheet filed before the jurisdictional Court.

In view of the prayers advanced in this revisional application, I am of the opinion that this revisional application can be disposed of without hearing of the private respondents.

Learned Advocate for the petitioner is directed to serve a copy of this revisional application upon Mr. Rudradipta Nandy and Ms. Manasi Roy, Learned Advocate who ordinarily appears for the State.

Their appointments may be regularised by the

concerned authority.

The order sheets enclosed along with the revisional application reflects that a prayer for further investigation was advanced before the jurisdictional Court almost more than six months ago and till date the Learned Magistrate could not accommodate the same.

The petitioner/ defacto-complainant says that the matter can be heard out on the point of further investigation.

The next date has been fixed by the Learned Court below on the 28th of December, 2022.

Having regard to the nature of the prayer so advanced, I direct that the Learned Magistrate would prepone the date and complete the hearing of the application under Section 173(8) of the Code of Criminal Procedure by 30th of November, 2022.

However, the Learned Magistrate, if required, would prepone the dates and issue notice upon the affected parties and fix regular hearing so that the final outcome may be decided by 30th of November, 2022.

Needless to say that this Court has not gone into the merits of the contentions as to whether further investigation is required or not.

The Learned Magistrate would independently consider the same in the background of the

grievance expressed by the defacto-complainant and the submissions of the State.

With the aforesaid observations, CRR 3699 of 2022 is disposed of. Pending application, if any, subsequently is also disposed of.

Learned Additional Chief Judicial Magistrate, Baruipur is directed to act on a server copy of this order dully obtain from the official website of the Hon'ble High Court, Calcutta.

All parties to act on server copy of this order, duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)