

18-11-2022
Subha
Item no.30
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

CRM (SB) 267 of 2022

Sunil Chandra Gope
-versus-
The State of West Bengal & Anr.

Mr. Sunil Chandra Gope
.....petitioner appearing in person.

Mr. Rudradipta Nandy
Ms. Manisha Sharma
.....for the State.

Petitioner appearing in person submits that an application for cancellation of bail was filed on 18th April, 2022 before the learned Judicial Magistrate, 3rd Court, Barrackpore in connection with G. R. Case No. 1102 of 2018 arising out of Dum Dum P. S. Case No. 162 of 2022 dated 07.03.2022.

Petitioner appearing in person is aggrieved by the fact that although he is being harassed at the instance of the accused private opposite parties, yet he is without any remedy because his applications are not being considered by the learned Judicial Magistrate when it is brought to the notice of the said court.

Ms. Sharma, learned advocate appears on behalf of the State and has filed a compliance report reflecting that service was effected upon the private opposite parties. Let the compliance report be kept with the record.

Having regard to the fact that application for cancellation of bail as submitted by the petitioner appearing in person is still pending

before the learned Judicial Magistrate, 3rd court, Barrackpore, I am not inclined to interfere at this stage without the order of granting bail.

Petitioner in person is directed to approach to the learned Judicial Magistrate, 3rd Court, Barrackpore on the next date so fixed by the court.

It has been informed to this court that the next date is on January 12, 2023.

Learned Magistrate will first dispose of the application for cancellation of bail, if any, already filed by the petitioner appearing in person and thereafter proceed with the merits of the case.

In the meantime, the Inspector-in-Charge/Officer-in-Charge, Dum Dum P.S would see that there is no restraint of the ingress and egress of the petitioner appearing in person or he is harassed physically or mentally by the private accused persons. Any such disturbance relating to either a cognizable offence or a non-cognizable offence should be reported to the learned Judicial Magistrate, 3rd Court, Barrackpore who would take steps in accordance with law.

Report submitted by the Inspector-in-Charge, Officer-in-Charge, Dum Dum PS through the learned advocate for the State be kept with the record.

With the aforesaid observations, the application for cancellation of bail being CRM (SB) 267 of 2022 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

Later

In the earlier order dated 11. 11. 2022 passed in CRM (SB) 267 of 2022, the number of the file has been inadvertently typed as CRR 267 of 2022. The correct number should be read as CRM (SB) 267 of 2022.

Department is directed to treat this order as part and parcel of the original order dated 11. 11. 2022.

[Tirthankar Ghosh, J]