

06.05. 2022
item No.59
n.b.
ct. no. 34

CRR 2857 of 2013

Mahesh Kumar Agarwal
Vs.
The State of West Bengal

Mr. Arijit Ganguly,
Ms. Debjani Sahu
.....For the State.

The subject matter of challenge in this revisional application relates to the order dated 8.7.2011 passed by the Learned Metropolitan Magistrate, 12th Court, Calcutta as also the judgment and order dated 16.1.2013 passed by the Learned Additional District & Sessions Judge, 9th Fast Track Court, City Sessions Court, Calcutta in Criminal Revision No.65 of 2012.

The genesis of the case arise out of the refusal order in respect of application under Section 239 of the Code of Criminal Procedure which was passed by the Metropolitan Magistrate 12th Court, Calcutta and was affirmed by the Learned Revisional Court being the 9th Fast Track Court, City Sessions Court, Calcutta.

The subject matter of the case relates to Shakespeare Sarani Police Station case no.225 dated 22.6.2013(G.R. No. 1685 of 2003).

As none appeared on behalf of the State, Ms. Debjani Sahu, learned advocate, who ordinarily appears for the State, is directed to appear in this matter and represent the State. Her appointment may be regularized by the concerned authority.

Having regard to the fact that there are concurrent finding of facts and law by the Learned Trial Court as well as the revisional Court, I do not find there are any exceptional question of law involved

for interference by this Court. As such, no interference is called for in the order passed by the Learned Metropolitan Magistrate, 12th Court, Calcutta as well as Sessions Court.

Thus, CRR 2857 of 2013 is dismissed.

All pending connected applications, if any, are consequently dispose of.

Interim order, if any, is hereby vacated.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)