

19-05-2022
Subha
Item no.04
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 4235 of 2017

In the matter of : **Rajendra Kumar Saraogi**petitioner.

In Re : An application under Section 482 of the Code of Criminal Procedure.

Mr. Sabir Ahmed
Mr. Apan Saha
Mr. Taslim Ahmed

....for the petitioner.

Mr. Swapan Banerjee
Mr. Suman De

...for the State.

Mr. Banerjee, learned advocate appearing on behalf of the State has candidly submitted after perusal of the case diary that the prayer of the petitioner/de facto complainant is not unjustified and further investigation is required to be conducted in connection with Amta P. S. Case No. 4 of 2014 dated 7.1.2014.

Accordingly, the Investigating Officer of the case would exercise his powers under Section 173(8) of the Code of Criminal Procedure and carry on further investigation. The Investigating Officer would also take into account the grievance of the de facto complainant who filed an application under Section 173(8) of the Code of Criminal Procedure before the learned jurisdictional court which was refused by the learned Magistrate. The Investigating Officer on conclusion will express his opinion and file a report under Section 173 of the Code of

Criminal Procedure before the jurisdictional court.

Accordingly, the order dated 27.11.2017 passed by the learned A. C. J. M, Uluberia in G. R. Case No. 57 of 2014 in connection with the instant case is hereby set aside. The Investigating Authorities would abide by the observations of this court as above.

As such, the present revisional application being CRR 4235 of 2017 is allowed.

The Investigating Officer of the case is personally present in court. His further appearance stands dispensed with.

All pending applications, if any, in connection with the revisional application, are consequently disposed of.

Interim order, if any, is, hereby vacated.

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

[Tirthankar Ghosh, J]