

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

CRR 382 of 2023

**Suraj Sur
Vs.
State of West Bengal & Anr.**

**For the petitioner : Mr. Ranjit Jaiswal,
Mr. Parthasarathi Chakraborty.**

Judgement on : 26.04.2023.

Bibek Chaudhuri, J.

The petitioner is a non-resident Indian and presently a citizen of Finland. On the basis of a complaint submitted by him a criminal case was registered under Section 420 of the Indian Penal Code. Investigation of the case by Police ended in filing charge-sheet and the case was registered as GR Case No. 596/2013, presently pending before the learned Judicial Magistrate, 3rd Court at Chandernagore.

It is submitted by the learned Advocate for the petitioner that in the said case all the witnesses on behalf of the prosecution has been examined except the present petitioner/*de facto* complainant as he is staying abroad and one Chabi Sen against whom witness warrant is pending. It is submitted by the learned Advocate for the petitioner that the petitioner came to India in the year 2017-2018 but his examination could not be done due to some reason or other. It is

also submitted by him that the petitioner is coming on 10th June, 2023 to India and he will leave the country on 20th June, 2023. Therefore, it is submitted on behalf of the petitioner that the learned Judicial Magistrate, 3rd Court, Chandernagore may be directed to fix a date between 10th June, 2023 and 19th June, 2023 for examination of the petitioner and the said Chabi Sen and conclude the trial of the case.

Having heard the learned Advocate for the petitioner, the instant revision is disposed of directing the learned Judicial Magistrate, 3rd Court at Chandernagore to fix a date for examination of the complainant between 10th June, 2023 and 19th June, 2023. After examination of the witness and the said Chabi Sen, the learned Magistrate shall proceed with the examination of the accused persons under Section 313 of the Code of Criminal Procedure and thereafter D.W. if any and delivery of judgment within six months from the date of this order.

(Bibek Chaudhuri, J.)

Srimanta, A.R.(Ct.)
Item No. 29.