

D/L5  
29.03.2023  
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C.R.R.282 of 2021

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

Mohammad Nur Alam Khan  
Versus  
State of West Bengal and another

Ms. Joyita Ray.  
...for the petitioner.

Mr. Swapan Banerjee,  
Mr. Suman De.  
...for the State.

Report submitted by the Deputy Commissioner of Police, Airport Division, Bidhannagar Police Commissionerate along with the enclosures be kept with the record. Enclosures reflect that the communications have been sent to the Assistant Director/CFB, but the authority is yet to reply to the Deputy Commissioner of Police, Airport Division, Bidhannagar Police Commissionerate.

As the present revisional application was filed challenging the order of rejection relating to the prayer of discharge advanced by the petitioner, I am of the opinion that pendency of the present revisional application before this Court is unwarranted. Once the Deputy Commissioner of Police, Airport Division, Bidhannagar Police Commissionerate receives report from the Assistant Director/CFB, the same shall be placed before the learned Judicial Magistrate, 2<sup>nd</sup> Court, Barrackpore.

The learned Judicial Magistrate, 2<sup>nd</sup> Court, Barrackpore will assess the contents of the same and if required hand over a

copy of the same to the learned advocate appearing for the petitioner. If the circumstance so warrant, the learned Judicial Magistrate, 2<sup>nd</sup> Court, Barrackpore will rehear the application for discharge advanced on behalf of the present petitioner.

With the aforesaid observations, CRR 282 of 2021 is disposed of.

Pending application, if any, is consequently disposed of.

However, it is directed that the Deputy Commissioner of Police, Airport Division, Bidhannagar Police Commissionerate will take all efforts so that within a period of 60 days the said report may be handed over to the learned Judicial Magistrate, 2<sup>nd</sup> Court, Barrackpore.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

**(Tirthankar Ghosh, J.)**