

02.08.2023
Ct. No.237
S/L No.78
KS

C.R.R. 518 of 2018
Pranab Kumar Hui & Ors.
Vs.
The State of West Bengal & Anr.

Mr. Sabyasachi Banerjee
Mr. Ayan Bhattacharya
Mr. Arindam Chatterjee

.....For the Petitioners

Mr. Arka Banerjee
Mr. Dipayan Dan

.....For the Opposite Party

The present revisional application has been filed with a prayer for quashing of the proceedings in connection with the Case No.C/29 of 2016 under Sections 463/ 464/ 467/ 468/ 471 and 120B of the Indian Penal Code pending before the learned Judicial Magistrate, First Class, 8th Court at Alipore, South 24 Parganas.

The revisioinal application has been filed on the ground of issuance of process on the basis of a police report and it is also alleged that direction was given to the Officer-in-Charge of Gariahat Police Station to cause an investigation under Section 202 of the Code of Criminal Procedure and after conducting the investigation a report was submitted by an officer other than the Officer-in-Charge of the concerned police station. The issue raised in the revision that the person other than the Officer-in-Charge cannot investigate the matter when the

Officer-in-Charge of Gariahat Police Station was directed to investigate into the case and to submit report.

Learned advocate appearing on behalf of the petitioners submitted that the trial of this case has already been progressed and liberty may be given to raise the issue before the learned Trial Court.

Considering the aforesaid facts and circumstances of this case, particularly, the fact of commencement of trial of the case, the quashing of proceedings cannot be allowed.

Thus, the revisional application being CRR 518 of 2018 stands disposed of with a liberty to the petitioners to raise all the issues placed in this revisional application in course of trial before the learned Trial Court.

Pending applications, if any, are consequently disposed of.

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

(Bibhas Ranjan De, J.)