

11.01.2023

Item No.20
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

**C.R.R. 578 of 2021
with
CRAN 1 of 2021**

**Nur Ali Faraji
versus
The State of West Bengal & Ors.**

In Re: An Application under Section 482 read with Section 483 of the Code of Criminal Procedure.

Ms. Manali Biswas,
Mr. Mrinal Saha ... For the Petitioner.

Mr. S. G. Mukherjee, Ld. P.P.,
Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan ... For the State.

Mr. Manas Kumar Das,
Mr. Mohaimenul Mondal ... For the Opposite Party Nos.2, 3 & 4.

Affidavit-of-service filed in Court today be kept on record.

The petitioner is aggrieved by the fact that some of the accused persons who were required to be implicated in the case relating to preparation of forged document thereby changing the ownership of the property owned by the petitioner have been left out of the case by the Investigating Officer.

Learned advocate appearing for the complainant/petitioner submits that they filed an application under Section 173(8) of the Code of Criminal Procedure before the jurisdictional court. However, the jurisdictional court till date has not disposed of the same. It has been informed that the next date has been fixed on 29.03.2023.

If the application under Section 173(8) of the Code of Criminal Procedure filed by the complainant till date has not been disposed of, I direct the learned Magistrate to dispose of the same on the next date so fixed or within a week thereafter.

The petitioner would be at liberty to address his grievance at the time of hearing before the learned Magistrate.

The accused persons who have been arrested in connection with the instant case will have audience at the time of hearing of the application under Section 173(8) of the Code of Criminal Procedure.

The absconding accused persons will not have right of audience at the stage of hearing of the application under Section 173(8) of the Code of Criminal Procedure.

With the aforesaid observations, the revisional application being CRR 578 of 2021 is disposed of.

Pending connected application is consequently disposed of.

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 with all requisite formalities.

(Tirthankar Ghosh, J.)