

D/L 43
25.01.2023
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C.R.R.696 of 2021

In Re: An application under Section 401 read with Section 482 of the
Code of Criminal Procedure, 1973;

Biplab Kumar Chowdhury
Versus
The State of West Bengal and others

Mr. Phiroz Edulji,
Mr. Arnab Sengupta,
Mr. Md. Apzal Ansari,
Mr. Chitrak Biswas.
...for the petitioner.

Mr. Sandip Ghosh,
Mr. Sudarshan Ray.
...for the opposite party nos.2 to 4.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee.
...for the State.

Affidavit-of-service so filed be kept with the record.

Mr. Edulji, learned advocate appearing for the petitioner submits that in view of the proposed accused in the application under Section 156(3) of the Code of Criminal Procedure being public servant, the application which was filed before the learned Magistrate is debatable. Liberty has been sought for to exhaust the remedies for praying sanction before the appropriate authority.

Mr. Ghosh, learned advocate appearing for the private opposite party nos.2 to 4 questions the complainant's integrity.

As the prayer advanced by the petitioner do not involve any merits, I direct that the revisional application being CRR 696 of 2021 to be disposed of with a liberty to the petitioner to approach the appropriate authority for sanction and, if so advised, for

proceeding in accordance with law.

With the aforesaid directions, CRR 696 of 2021 is 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 of all requisite formalities.

(Tirthankar Ghosh, J.)