

1.2.2023
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SB
Ct. No.236

CRR 970 of 2011

In the matter of : Chitra Das

Mr. B. K. Ray
Ms. Sima Biswas ... for the State

None appears on behalf of the petitioner as usual.

The revisional application was filed way back in 2011. Therefore, I propose to dispose of the case on merits based on materials available with the record.

Challenge in this application under consideration is to the order passed by the learned Additional Chief Judicial Magistrate, Alipore on 09.2.2011 whereby the learned Court was pleased to forward a petition of complaint to the Officer-in-Charge, Bishnupur Police Station under Section 156(3) of the Code of Criminal Procedure to register F.I.R. and to proceed with the investigation of the case.

The petition of complaint filed before this learned Additional Chief Judicial Magistrate, Alipore, prima facie speaks of commission of offence within the meaning of Indian Penal Code.

Therefore, at this stage I do not find any reason to quash the said order of the learned Additional Chief Judicial Magistrate, Alipore, which would amount to smothering of the case filed at the very early stage. Rather in order to secure ends of justice and to avert the abuse of process, the petition should be dismissed which I accordingly do.

With this observation, the revisional application is disposed of along with application if any.

Interim order, if any, stands vacated.

Let a copy of the order be sent to the learned Trial Court for information and necessary action.

(Siddhartha Roy Chowdhury, J.)