

18.01.2023  
S/L No.31  
KS

**C.R.R. 877 of 2021**

**Amar Adhikary**  
**-Vs.-**  
**Surajit Dalui & Anr.**

Mr. Anwar Hossain  
Mrs. Debjani Sahu  
.....For the State

The present revisional application was preferred for return of the seized arms in connection with Khanakul Police Station Case No.221 of 2020 dated 09.09.2020 under Sections 147/ 148/ 149/ 323/ 325/ 326/ 506 of the Indian Penal Code read with Sections 25/ 27 of the Arms Act and Sections 3 and 4 of the E.S. Act.

The grievance of the petitioner is that his application for return of the seized arms were not properly considered by the learned A.C.J.M., Arambagh, Hooghly.

As none appeared on behalf of the State, Mrs. Debjani Sahu, learned advocate who ordinarily represents on behalf of the State is directed to represent the case. Her appointment may be regularized by the concerned authority.

I have perused the order dated 11.03.2021 wherein the learned A.C.J.M., Arambagh, Hooghly was pleased to consider the prayer for return of the arms. Learned Magistrate has categorically observed that there was an objection with the Sub-Divisional Police Officer regarding

return of the arms as the said arms were not registered and only the application for re-registration of the arms was pending before the District Magistrate, Howrah. It has further been observed that the said arms were being used by the petitioner for performing his duty and, as such, for such illegal possession case has been made out.

Having considered the order dated 11.03.2021 passed by learned A.C.J.M., Arambagh, Hooghly, I am of the opinion that no case has been made out for interference.

With the aforesaid observations, C.R.R. 877 of 2021 is dismissed.

Pending applications, if any, are consequently dismissed.

Petitioner would be at liberty to apply for return of the arms, if the circumstances changed pursuant to the consideration of the District Magistrate, Howrah.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

**(Tirthankar Ghosh, J.)**