

14.03.2023
Ct. No.34
S/L No.15
KS

C.R.R. 1074 of 2021
Manash Chakraborty
-Vs.-
The State of West Bengal & Anr.

Mr. Ivan Roy

..... For the Petitioner

Mr. Rudradipta Nandy

Ms. Sonali Das

Mrs. Monisha Sharma

.....For the State

Mr. Shibaji Kumar Das

Ms. Rupsa Sreemani

Ms. Riya Sarkar

.....For the O.P. No.2

The Deputy Commissioner of Police has assigned certain reasons mostly which are relating to Covid period and of circumstances relating to health and beyond the control of the police authorities without detailing on the ground so assigned. Let the report so submitted by the State be kept with the record.

Affidavit in Reply so filed by the petitioner be also kept with the record.

The revisional application was filed challenging the F.I.R. arising out of Jadavpur Police Station Case No.200/2019 dated 30.06.2019. The date on which the revisional application was preferred before this Court charge-sheet was already submitted before the Jurisdictional Court and, as such, the thread of argument which was based challenging the

continuance of the proceedings on the basis of the First Information Report so registered lost its significance.

Without considering the merits of the matter and only on the issue of change of circumstances as pointed out by the State, I am of the view that the present revisional application can be disposed of by granting liberty to the petitioner to canvass all the points at the stage of Section 239/ 240 of the Code of Criminal Procedure before the learned Jurisdictional Magistrate. If such an application is taken out before the learned Magistrate the same should be disposed of in accordance with law.

Accordingly, C.R.R. 1074 of 2021 is disposed of.

Pending applications, if any, are consequently disposed of.

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.)