

07.08.2023
Serial no. 3
[G.S.D]

CRR 1502 of 2022

In the matter of : Alok Kumar Mahato

... .. Petitioner

Mr. Avijit Chakraorty

... For the Petitioner

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan

... For the State

Supplementary Affidavit so filed be kept with the record.

The petitioner is directed to serve a copy of this revisional application upon Mr. Sanjib Kumar Dan, Learned Advocate, who ordinarily appears on behalf of the State. His appearance may be regularised by the concerned authority.

The grievance of the petitioner is that CID, West Bengal, submitted the Final Report without exhaustively investigating into the allegations. The said Final Report dated 29.11.2019 was accepted by the Learned CJM, Purulia by its order dated 10.3.2022.

From the records of the case, it transpires that the application under Section 173(8) of the Code of Criminal Procedure was preferred before the Learned CJM, Purulia

without any application for supply of copies on which the prosecution relied upon to arrive at its finding of “no case being made out.”

Accordingly, the petitioner is directed to approach the Learned CJM, Purulia, firstly, for directing the CID, West Bengal, to supply all the copies on which they relied upon to arrive at their findings, so far as the Final Report, which has been submitted before the Court, being FRT No. 62 of 2019 dated 29.11.2019. On receipt of such documents, the petitioner would freshly apply under Section 173(8) of the Code of Criminal Procedure before the Learned CJM, Purulia. The Learned CJM, Purulia, will thereafter freshly consider, whether any further investigation is required or not, in respect of the grievances so expressed by the petitioner.

With the aforesaid observations, CRR 1502 of 2022 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order, duly collected from the official website of the Hon’ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

