

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

CRR 1354 of 2023

**Sk. Israil
Vs.
Learned Additional District and Sessions Judge, Bolpur,
Birbhum**

**For the petitioner : Mr. Sandipan Ganguly, Sr. Adv.,
Mr. Smarajit Basu.**

Judgement on : 15.05.2023.

Bibek Chaudhuri, J.

On the complaint made by the learned Additional Sessions Judge, Bolpur, a case being Complaint Case No. 562/2023 was registered against the Officer-in-Charge of Nanoor Police Station who is the petitioner herein for committing the offence under Sections 174/175 of the Indian Penal Code. The case of the complainant who is the Additional Sessions Judge of Bolpur is that on 1st March, 2023, the learned Additional Sessions Judge issued summons in the name of witness no. 1 on behalf of the prosecution and also directed the petitioner to produce 'alamats' of the case on 31st March, 2023.

It is alleged that the petitioner failed to carry out the order of the learned Additional Sessions Judge and failed to send the 'alamats' in Court. It is contended by the petitioner that the date of

examination of the witness was previously fixed on 5th September, 2022. The summons to witness was duly forwarded to the Investigating Officer of this case for service and the 'alamat' was sent by the Officer-in-Charge of Nanoor Police Station to the GRO attached to the Court of the learned Chief Judicial Magistrate at Bolpur for production before the Trial Court. Therefore, the 'alamat's' were not in the custody of the petitioner on 31st March, 2023 and the same was in custody of the Court 'malkhana' under the custody of GRO.

In view of such circumstances and considering the factual aspect of the matter, this Court is of the view that no evidence was committed far less under Sections 174/175 of the Indian Penal Code by the petitioner.

With the above observation, the instant revision is disposed of.

The learned Additional Chief Judicial Magistrate, Bolpur, Birbhum is directed to drop Complaint Case No. 562/2023 on receipt of the order of this Court.

The petitioner is at liberty to act on the server copy of the order.

(Bibek Chaudhuri, J.)

Srimanta, A.R.(Ct.)
Item No. 19.