

15-05-2023
Subha
Item no.45
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1536 of 2021

Shyamdeb Kumar Das @ Sandip
-versus-
The State of West Bengal

In Re : An application under Sections 397/401 read with Section 482 of the Code of Criminal Procedure.

Mr. Rajdeep Majumder
Mr. Pritam Roy
Mr. Abhijit Singh
....for the petitioner.

Mr. Arijit Ganguly
Mr. Sandip Chakraborty
....for the State.

The present revisional application has been preferred for quashing of the proceedings arising out of NGR Case No. 742 of 2021.

Pursuant to an earlier order, a report was called for. Accordingly, Mr. Arijit Ganguly, learned advocate appearing for the State has submitted a report of the Deputy Commissioner of Police, Detective Department, Bidhannagar Police Commissionerate which reflects that against the present petitioner another case being Electronics Complex Police Station Case No. 40 of 2021 dated 20.03.2021 was registered for investigation and the said case ended in a final report.

Having considered the fact that the present petitioner was produced on 15th July, 2021 pursuant to a production warrant and his bail bond was executed on 23rd November, 2021 i.e., after more

than four months and the allegations of the complainant by a Sub Inspector of Police of Bidhanagar North Police Station were to the effect that the accused/petitioner was committing crime in the areas of Bidhanagar North Police Station and Sector 5 of the said locality, I am of the opinion that the allegations remain unsubstantiated for the proceedings to continue in view of the fact that when the petitioner was arrested he was facing the outcome of Electronics complex Police Station case no. 40 of 2021 dated 20.03.2021. Subsequently, final report was submitted on or about 31st October, 2021. There are no other cases against the present petitioner as submitted by the Commissionerate.

In view of the aforesaid unsubstantiated allegations, I am of the opinion that further continuance of the proceedings against the petitioner would be an abuse of the process of law and as such all further proceedings arising out NGR Case No. 742 of 2021 under Section 110 of the Code of Criminal Procedure pending before the learned Executive Magistrate, Bidhannagar Police Commissionerate and all orders passed therein are hereby quashed. Petitioner is discharged from the bail bonds.

As such, the present revisional application being CRR 1536 of 2021 is allowed.

Pending applications, if any, are disposed of accordingly.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]

