

01.09.2023
Serial no. 23
[G.S.D]

CRR 2401 of 2023

In the matter of : Lakshmikanta Patra

... .. Petitioner

Mr. S. Mandal
Mr. Abhinaba Dan
Ms. S. Datta

... for the petitioner

Mr. S. G. Mukherji
Mr. Mirza Firoj Ahmed Begg

... For the State

The petitioners are directed to serve a copy of this revisional application upon Mr. Saswata Gopal Mukherjee, Learned Public Prosecutor, who ordinarily appears on behalf of the State. His appearance may be regularised by the concerned authority.

The petitioner is frustrated by the fact that repeatedly a report under Section 173 of the Cr.P.C. is filed before the jurisdictional Court with the observation of ‘mistake of facts’. The petitioner obviously being the complainant intends to know the reason of the ultimate cause of suicide for which the case was registered under Section 306 of the IPC.

Having regard to the totality of the circumstance, I direct that a superior officer of the jurisdictional police station, which may include either the DSP/SDPO, would

conduct a further investigation in respect of the materials which surfaces on assessment of the materials already collected.

A fresh report under Section 173 Cr.P.C. be submitted before the jurisdictional Court and the same may be done as expeditiously as possible with utmost efforts.

With the aforesaid observations, CRR 2401 of 2023 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 at 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.)