

01.09.2023

Item No.3
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 2720 of 2022

In the matter of : **Md. Ali Hussain**

... Petitioner.

Earlier this revisional application was called on 14.06.2023 when none appeared on behalf of the petitioner.

Today also when the matter is called, none represented the petitioner.

The present revisional application was preferred challenging the order dated 05.07.2022 passed by learned Chief Judicial Magistrate, Paschim Bardhaman in connection with Asansol (Women) Police Station Case No. 102 of 2021.

The main contention of the petitioner was that another case was registered in the district of Deogarh. As such, the present case is not maintainable. In the present case, the petitioner approached the learned Magistrate when the investigation was under progress. As such, it was not possible for the learned Magistrate to assess regarding the issue of 'test of sameness'. Considering the points so canvassed in the present revisional application, I am of the opinion that no interference is called for.

Accordingly, the revisional application being CRR 2720 of 2022 is dismissed.

Pending connected application, if any, is consequently disposed of.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Tirthankar Ghosh, J.)