

30-08-2023
Subha
Item no. 67
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction
Appellate Side

CRM (SB) 149 of 2023

In the matter of : An application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure.

**Sri Subodh Mukherjee
-Versus-
The State of West Bengal and Others.**

Mr. Atif Ahamed Siddiqui
Mr. Ratan Das

.....for the petitioner.

Mr. Sudip Ghosh
Mr. Koushik Kundu

...for the State.

Report submitted by Mr. Koushik Kundu, learned advocate for the State be kept with the record.

The report of the Investigating Officer reflects that the accused persons are not co-operating with the Investigating Officer and an application for cancellation of bail has been prayed for before the learned Additional Chief Judicial Magistrate, Barrackpore. Since the learned Additional Chief Judicial Magistrate, Barrackpore is in seisin of the matter and the complainant is before this court for cancellation of bail and it has been informed that the next date is fixed on 1st September, 2023 for hearing on the issue of cancellation of bail, I direct that the learned Additional Chief Judicial Magistrate, Barrackpore would decide on the issue relating to cancellation of bail on 1st September, 2023. The Investigating Officer of the case has already prayed for cancellation of bail, which has been granted as there has been non-cooperation of the accused persons. The complainant of the case has other issues to address for the bail being cancelled. Accordingly, the de facto complainant who is the petitioner before this court be allowed to address the learned Additional Chief Judicial Magistrate,

Barackpore on 1st September, 2023 when the application/issue relating to the cancellation of bail would be taken up in connection with Halisahar P. S. Case no. 03 of 2022 dated 12-05-2022.

With the aforesaid observations, the present application for cancellation of bail being CRM (SB) 149 of 2023 is disposed of.

Pending applications, if any, are disposed of.

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]