

09.08.2023

Item No.6
Ct.No.34
dc.

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

**C.R.R. 2319 of 2021
with
CRAN 3 of 2022
with
CRAN 4 of 2023**

In the matter of : **Sk. Jinnar Ali** ... Petitioner.

Mr. Mahammad Mahmud,
Mr. Neyaz Ahmed ... For the Petitioner.

Mr. Abhra Mukherjee,
Mr. Dipankar Mahata ... For the State.

Mr. Syed Nurul Arefin,
Mr. Rahul Singh,
Mr. Syed M. Arefin ... For the Opposite Party No.2.

Report dated 04.08.2023 submitted by Mr. Mukherjee,
learned advocate appearing for the State be kept on record.

A statement has been given for withdrawal of complaint. I have perused the case diary and I find that the petitioner concerned has been using National Emblem including declaring himself as an Advisory Board Member of Ministry of Home Affairs. I am of the opinion that public policy is involved over here by using the National Emblem and trying to allure/misrepresent/creating a fear psychosis amongst the people with whom he deals. Having regard to the same, I am of the opinion that the settled propositions of law relating to comprise, as decided by the Hon'ble Supreme Court are not applicable in the present case.

Accordingly, the revisional application being CRR 2319 of 2021 along with the connected applications are dismissed.

The petitioner, however, is granted liberty to approach this Court after the relevant affected witnesses are examined by the learned trial court.

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.)