

D/L24
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C.R.R. 2383 of 2021

In Re: An application under Article 227 of the Constitution of India;

Gorachand Mondal
Versus
State of West Bengal and others

Mr. Atis Kumar Biswas,
Mr. Amit Singh,
Ms. Jyoti Agarwal.
...for the petitioner.

Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan.
...for the State.

Petitioner is the father of the deceased who suffered as a consequence of matrimonial dispute.

The subject-matter of the case relates to the stridhan articles. Petitioner made an application for return of the stridhan articles. Learned Magistrate allowed such prayer. Such stridhan articles were kept in the custody of the police authorities. Learned Magistrate subsequently recalled his earlier order in respect of seizure of stridhan articles. Petitioner being aggrieved approached the learned Sessions Judge invoking its revisional jurisdiction and the learned revisional court refused to admit the revisional application by its order dated 27.11.2020.

The present revisional application has been preferred being aggrieved by the said order.

It has been informed by the learned advocate for the petitioner that the evidence of the sessions trial is in progress.

Having considered the stage of the case, I am not inclined

to interfere with the order passed by the learned Session Judge in Criminal Motion No.27 of 2020.

However, in the fitness of circumstances, I direct that the stridhan articles which were recovered must be kept in the custody of the police authorities till the disposal of the sessions trial.

In case after the trial court passes its verdict, in the sessions court the present petitioner and/or any other claimant will be heard out after issuing notice and thereafter a final decision would be taken regarding handing over of the stridhan articles.

A Superior Officer of the police would direct the Inspector-in-Charge of the concerned Police Station to maintain a separate register as the petitioner apprehends that by passage of time the quality of the articles may deteriorate or may be lost.

With the aforesaid observations, CRR 2383 of 2021 is disposed of.

Pending application, if any, is consequently disposed of.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)