

04.08.2023

Item No.71
Ct.No.34
dc.

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

C.R.R. 2810 of 2023

In the matter of : **Imran Biswas & Ors.** ... Petitioners.

Mr. Shibaji Kumar Das,
Ms. Rupsa Sreemani ... For the Petitioners.

Mr. S. G. Mukherjee, Ld. P.P.,
Mr. Imran Ali,
Ms. Debjani Sahu ... For the State.

Learned advocate appearing for the petitioners is directed to serve a copy of this revisional application upon Mr. Imran Ali, learned advocate, who ordinarily appears for the State. His appointment may be regularised by the concerned authorities.

The petitioners are aggrieved by the order dated 19.07.2023 refusing the prayer of the petitioners for further investigation. The very purpose for which the application was taken out at the instance of the petitioners is in respect of two documents relating to the airlines for assessing the presence of the accused no.1/petitioner no.2 herein viz. Javed @ Javed Biswas at Guwahati on the relevant date.

Having considered that the issue relates to liberty of the petitioner concerned, I direct that in case an application is taken out before the learned court, the learned court will directly pass orders upon the authorities of the particular airlines who would submit a report before the Court. No police authorities are supposed to be involved in respect of collection of such materials or evidence. In case the authorities do not reply or respond to the order passed by the

learned Magistrate, only then those police authorities who are not connected with the investigation of the present case can be involved, but at the first instance the court would directly direct the designated officer of the airlines company to submit such report certifying the same.

No further order is required to be passed and there is no interference by this Court in respect of the order dated 19.07.2023.

With the aforesaid observations, the revisional application being CRR 2810 of 2023 is disposed of.

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.)