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20.03.2023
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C.R.R.2533 of 2021

In Re: An application under Section 401 read with Section 482 of the
Code of Criminal Procedure;

Subrata Mondal
Versus
The State of West Bengal and others

Mr. Soujanya Bandyopadhyay.
...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld. P.P.,
Mr. Sandip Chakraborty.
...for the State.

Petitioner is the de facto complainant who complains that his application under Section 173(8) of the Code of Criminal Procedure could not be considered by the learned Magistrate in spite of his due diligence.

In view of the subject matter involved in the present case, petitioner is granted liberty to file such application under Section 173(8) of the Code of Criminal Procedure. Learned Magistrate would consider the contents of the same and necessity for further investigation and thereafter dispose of the same in accordance with law. It is categorically stated that if the learned Magistrate has taken cognizance of the earlier report under Section 173 of the Code of Criminal Procedure, the same is not a bar for further allowing application under Section 173(8) of the Code of Criminal Procedure.

Mr. Sandip Chakraborty, learned advocate, appears on behalf of the State.

Having considered the contents of the revisional

application and the directions mentioned above, I am of the opinion that there is no further requirement of keeping the revisional application pending before this Court

With the aforesaid observations, CRR 2533 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.)