

30-08-2023
Item no.60
Subrata
Bhattacharyya

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR No.3091 of 2023
Saddam Sk. @ Sadai
-vs-
The State of West Bengal

Mr. Sarbananda Sanyal ...for the petitioner

Mr. S.G. Mukherjee, PP
Mr. Saryati Dutta ... for the State

The present revisional application was preferred for quashing of the proceedings of NGR No.317 of 2019 under section 110 CrPC. In the said case the learned Sub-Divisional Magistrate, Katwa, Purba Bardhaman passed an order dated March 11, 2019 wherein he directed the present petitioner to execute a bond with sureties of any Group A Government Officer for his good behaviour for a period of two years.

A report was called for. Accordingly, Mr Public Prosecutor submitted a report of the inspector-in-charge, Katwa police station wherein a list of 16 cases were enclosed. From the said list it reflects another NGR No.408 of 2022 was initiated against the petitioner from which he was discharged/acquitted on May 16, 2023. There are at least more than 10 cases pending against the petitioner.

So far as the proceedings are concerned, relating to section 110 CrPC, I am of the view that since a subsequent case has been registered under section 110 CrPC, the NGR 317/2019 do not survive. Hence proceedings being case no. 317/2019 (NGR 317/2019) is deemed to be dropped.

However, having regard to the series of cases pending against the present petitioner, I invoke my powers under section 482 CrPC and direct that in all the criminal cases which are pending against the petitioner, a condition would be added that the petitioner will not enter the district of Purba Bardhaman till further orders of this court.

The petitioner submits that he will stay within the district of Nadia. He shall, therefore, furnish his address to the officer-in-charge or inspector-in-charge of the locality where he would be residing and furnish the same address to the court where the proceedings are pending. The petitioner shall, before leaving the district of Nadia, enter the jurisdiction of Purba Bardhaman (only limited to these two districts) for the purposes of the cases pending in Court. He would inform the inspector-in-charge or officer-in-charge of the Katwa police station.

It is clarified that for the purposes of attending the court proceedings, the petitioner would be at liberty obviously to enter the jurisdiction of Purba Bardhaman subject to informing the same to the inspector-in-charge or officer-in-charge of the concerned police station where he would be residing for the present by an order of this court. The petitioner shall inform his place of residence to the inspector-in-charge of Katwa police station within a week from being released from custody.

Since this court is of the opinion that NGR 317/2019 which gave rise to Case No.317/2019 and the consequential orders of the Sub-Divisional Magistrate of Katwa no longer exist, the petitioner shall be immediately released, if he is not wanted in any other case.

Report filed on behalf of the State be taken on record.

With the above observations, CRR No.3091 of 2023 stands disposed of.

Parties are to act on the server copy of this order duly downloaded from the official website of this court.

Certified copy of this order, if applied for, shall be made available.

[Tirthankar Ghosh, JJ]

