

D/L52
28.08.2023
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C.R.R.3171 of 2023

In Re: An application under Section 401 read with Section 482 of the
Code of Criminal Procedure, 1973;

Bhaskar Debnath
Versus
The State of West Bengal and another

Mr. Amit Roy.
...for the petitioner.

Leave is granted to the petitioner to amend the cause title
so far as the case number is concerned.

Petitioner is aggrieved by the manner in which the
complaint case no.1655 of 2013 is pending before the learned
Judicial Magistrate, 1st Court, Barasat.

Learned advocate submits that till date none of the
witnesses have been examined.

Petitioner, in such circumstances, is directed to exhaust
the statutory powers under Section 245(3) of the Code of Criminal
Procedure. If such application is preferred at the instance of the
petitioner, the learned Judicial Magistrate, 1st Court, Barasat would
dispose of the same within a period of 30 days of filing of such
application.

With the aforesaid observations, CRR 3171 of 2023 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.)