

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

CRR 4035 of 2022

**Mohammad Sadiq @ Mohammad Sadiq Najar
Vs.
Mamtaz Begum & Anr.**

**For the petitioner : Mr. Mr. Mukteswar Maity,
Ms. Manika Sarkar.**

Judgement on : 25.04.2023.

Bibek Chaudhuri, J.

By virtue of an order dated 2nd July, 2022 upon an application under Section 156(3) of the Code of Criminal Procedure the learned Additional Chief Judicial Magistrate, Serampore, Hooghly did not consider the complaint to be a fit case for sending the said application to the jurisdictional Police Station for treating the same as FIR and cause investigation of the case. On the contrary, the said application was treated as a private complaint under Section 190 of the Code of Criminal Procedure. It was registered as CR Case No. 222/2022. The learned Magistrate took cognizance of the offence and transferred the case before the learned Judicial Magistrate, 2nd Court at Serampore directing the complainant to appear before the said Court. On 7th July, 2022 the learned Magistrate examined the complainant under Section 200 of the Code of Criminal Procedure and thereafter sent the

petition of complaint for further inquiry under Section 202 of the Code of Criminal Procedure before the jurisdictional Police Station. It is the grievance of the petitioner that till date the jurisdictional Police Station has not submitted any report and accordingly process has not been served upon the accused persons.

This grievance cannot be addressed at this stage by this Court. The complainant/petitioner is at liberty to mention the matter before the learned Magistrate for passing necessary order calling for the inquiry report from the jurisdictional Police Station.

With the above order the instant revision is disposed of.

(Bibek Chaudhuri, J.)

Srimanta, A.R.(Ct.)
Item No. 173.