

03.07.2023
Sl.No. 69
Ct. 33
Amalranjan

CRR 3939 of 2011

Re: Sunil Baran Ghose and ors.

Mr. Arun Bandyopadhyay
Mr. Dibashis Basu.....for the petitioners

Mr. Bidyut Kr. Roy
Ms. Rita Datta.....for the State

Perused the report submitted by the Chinsurah PS, Chandannagar Police Commissionerate dated 3.7.2023 through the learned Public Prosecutor, High Court at Calcutta be kept with the record.

The petitioners stated that the learned Additional Sessions Judge, 1st Court, Hooghly on the basis of the report of the investigating officer Polba PS, Hooghly and after hearing both the parties had disposed of the application under Section 147 of the Criminal Procedure Code being MP Case No. 390/2005 on 27.3.2007, inter alia, observing that the dispute is of a civil in nature involving passage of land in several Dag numbers. The aforesaid order was challenged before the learned Additional Sessions Judge, 1st Court, Hooghly vide Criminal Motion Case No. 147/2007 arising out of MP 390/2005 which was disposed of by an order dated 02.09.2011 which was allowed on contest and the order dated 27.3.2007 passed in MP case 390/2005 was set aside on the apprehension that the dispute may cause breach of peace existing in the locality.

With lapse of time and the dispute being civil in nature this court does not find any reason to intertain the instant revisional application and thus the same is dismissed.

Let a copy of this order be sent to the learned trial court for information and necessary action.

(Ananya Bandyopadhyay,J.)