

In the matter of:- Rahul Bose & Anr.

...petitioners

Mr. Madhusudan Sur,
Mr. Manoranjan Mahata.
....for the State.

Mr. Madhusudan Sur and Mr. Manoranjan Mahata, learned counsels represented the State.

Despite service, none is appearing on behalf of the petitioners.

This matter is pending since 2011. Instead of adjourning the matter suo motu, I am inclined to dispose of the matter on merit based on materials made available with the record.

Briefly stated, Abdus Sattar Molla, the opposite party no.2 informed the Officer-in-Charge of Bhangore Police Station in writing that on 30th July, 2011 at about 4 p.m., he was assaulted by a group of people including the petitioners when he had been to Bodra Gram Panchayat to see some injured persons. The accused persons also hurled bombs and opened fire from their firearms. The information since disclosed offence cognizable in nature, Bhangore Police Station Case No.243 of 2011 dated 30th July, 2011 was registered. Challenging the said FIR, the petitioners filed the application under Section 482 of the Code of Criminal Procedure. On 24th January, 2012, direction was given upon the investigating agency to proceed with the investigation but not to take any action without permission of the Court. After the period of more than 10 years, there is every reason to presume that the investigating agency has completed the investigation though the result is unknown to this Court.

In such circumstances, I am inclined to dispose of the revisional

application with a direction upon the investigating officer to submit a final report either in the form of charge sheet or final report as the case may be, before the learned jurisdictional Magistrate.

Interim order of stay, if any, stands vacated.

Copy of the Order sheet be sent down to the Additional Chief Judicial Magistrate, Baruipur, South 24-Parganas for information and necessary action.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Siddhartha Roy Chowdhury, J.)