

D/L70  
20.09.2023  
Bpg.

C.R.R.4396 of 2022

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

Subimal Chakraborty @ Chakravarti and another  
Versus  
The State of West Bengal and others

Mr. Anirban Mitra  
Ms. Madhumita Sadhukhan.  
...for the petitioners.

Petitioners happen to be the opposite parties in a proceeding under Section 107 of the Code of Criminal Procedure.

Petitioners are aggrieved by the factum of the learned Executive Magistrate dropping the proceeding without assigning any reason and more particularly with respect to the overwriting in the police report. Since the statutory period of six months have passed in a case under Section 107 of the Code of Criminal Procedure, I am not inclined to interfere with the same at this belated stage. So far as the overwriting is concerned, the petitioners would be at liberty to take out an appropriate application invoking the statutory remedies available before the learned Executive Magistrate.

With the aforesaid observations, CRR 4396 of 2022 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.)**