

CRR 4419 of 2023

In the matter of : Sanjay Malik

Mr. Jitendra Singh Bhasin
Mr. Subhajit Karmakar ... for the petitioner

1. Heard Mr. Jitendra Singh Bhasin, learned counsel appearing on behalf of the petitioner.
2. The challenge in this revisional application is the order dated 17th October, 2023 passed by learned Additional Sessions Judge, Fast Track - II court, Barrackpore in Criminal Revision No. 511 of 2023.
3. By the order impugned learned Additional Sessions Judge was pleased to refuse the prayer for stay of the order passed by learned Additional Chief Judicial Magistrate on 22nd September, 2023 in G.R. case No. 4366 of 2023.
4. It is submitted by learned counsel for the petitioner that the Police, CID, CBI all investigating agencies are hounding against the petitioner. He has been admitted on bail under Section 438 of the Code of Criminal Procedure but he is not inclined to join the investigation unless the investigating agency comes straight and narrow indicating the number of cases pending against him as he is apprehending harassive arrest by the prosecution.

5. Upon perusal of material I find that the petitioner has been given protection under Section 438 of the Code of Criminal Procedure so far this case is concerned.
6. There cannot be any direction upon the police or any other investigating agencies to disclose the number of cases that could have been registered against him.
7. While appreciating the submission of learned counsel for the petitioner I do not find any reason to interfere with the order impugned.
8. The judgment relied upon by learned counsel for the petitioner in the case of *Uday Chand & Ors. Vs. Sheikh Mohd. Abdullah & Ors. reported in (1983) 2 Supreme Court Cases 417* cannot be made applicable in this case.
9. However, it is expected that the investigating agency shall not take any step in the breach of Article 21 of the Constitution of India against the petitioner.
10. It is submitted that 30th November, 2023 is the date fixed for hearing the revisional application before the learned Additional Sessions Judge.
11. Learned Additional Sessions Judge, Fast Track – II Court is requested to dispose of the revisional application on the date fixed, if possible and not later than 4th December, 2023.
12. The State is directed to furnish information as regards the F.I.Rs. already registered against the petitioner by

30th November, 2023 before the Ld. Addl. Sessions
Judge, Barrackpore F.T. II Court, Barrackpore.

13. This revisional application is, thus, disposed of.

(Siddhartha Roy Chowdhury, J.)