

22.2.2023
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SB
Ct. No.236

CRR 4218 of 2012
CRAN 4 of 2013

In the matter of : Sri Gurupada Ghosh

Mr. N. P. Agarwala
Mr. Pratick Bose

... for the State

None is appearing on behalf of the petitioner.

This revisional application is pending for more than a decade. Instead of adjourning the matter *suo moto*, considering the age of the proceeding, I am inclined to dispose of the matter on merit based on materials available with the record.

Briefly stated a petition of complaint was filed by Smt. Gauri Ghosh against Sri Gurupada Ghosh before the learned Additional Chief Judicial Magistrate, Sealdah and the same was forwarded to the jurisdictional police station under Section 156(3) of the Code of Criminal Procedure and Sinthi P.S. Case No. 53 of 2010 was registered on 24.05.2010. Police took up investigation. But having found no ingredient to constitute any offence within the meaning of penal code as alleged, submitted F.R.T., the de facto complainant was duly notified about such report and she filed an application expressing her unwillingness to accept the report submitted by police (Naraji Petition). Learned Additional Chief Judicial Magistrate, Sealdah was pleased to treat the petition as complaint within the meaning of Section 21(d) of Code of Criminal Procedure Code and transferred the same to the learned 4th Court of Judicial Magistrate, Sealdah for holding inquiry under Section 200 of Code of Criminal Procedure. The said order is under challenge.

I have perused the impugned order which was passed by the learned Additional Chief Judicial Magistrate, Sealdah while exercising his jurisdiction and this order does not warrant any interference. There is nothing to indicate that the learned Additional Chief Judicial Magistrate, Sealdah either transgressed his jurisdiction or refused to exercise jurisdiction conferred upon the Court.

This criminal revision thus merits no consideration and is dismissed along with application being CRAN 4 of 2013 without any order as to costs.

Let a copy of the order be sent to the learned Trial Court for information and necessary action.

(Siddhartha Roy Chowdhury, J.)