

12.05.2023
cm (9)

IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.R. 311 of 2022

In the Matter of : Mohit Goel @ Mohit & Anr.

.... petitioners.

Mr. Shubhankar Dutta
Mr. Debajit Kundu

... for the Petitioners.

Mr. Aditi Shankar Chakraborty, Ld. A.P.P.,
Mr. Tapan Bhattacharjee

... For the State.

This instant criminal revisional application has been filed by the petitioner stating that NJP PS Case No.777 of 2020 dated 09.7.2020 under Section 406/420/468/323/506/34 of the Indian Penal Code was transferred to Bhaktinagar PS for investigation by an order dated 15.9.2021 passed by the learned Chief Judicial Magistrate, Jalpaiguri.

From the case diary it transpires that the NJP PS Case No.777 of 2020 dated 09.7.2020 has been endorsed to IC, Bhaktinagar PS for further investigation under an order of the court of learned Chief Judicial Magistrate, Jalpaiguri dated 15.9.2021. After transmission of the case diary to the Bhaktinagar PS new FIR being No.1295 of 2021 dated 02.10.2021 has been substituted in place of FIR No.777 of 2020.

The learned advocate for the State submits that investigation is on the verge of its completion with regard to Bhaktinagar PS Case No.1295 of 2021 dated 02.10.2021. The IO of Bhaktinagar PS dealing with the aforesaid FIR being No.1295 of 2021 corresponding to the GR Case No.5392 of 2021 is directed to obliterate the earlier FIR No.777 of 2020 to eradicate the possibility of further confusion and multiplicity of proceedings from the case record and to deal with the investigation concerning the FIR being No.1295 of 2021 without mentioning the NJP PS Case No.777 of 2020 dated 09.7.2020 which has already merged into the FIR being No.1295 of 2021 between the same parties over the same dispute.

Accordingly, the revisional application is disposed of.

(ANANYA BANDYOPADHYAY, J.)