

26-02-2024
Subha
Item no. 33
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction
Appellate Side

CRM (SB) 13 of 2024

In the matter of : An application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure.

**Ujjal Chatterjee
-Versus-
The State of West Bengal and ors.**

Mr. Ujjal Chatterjee
.....petitioner -in-person.

Mr. Sandipan Ganguly, Sr. Advocate
Mr. Soumya Nag
Mr. Aditya Tiwari
...for the opposite party no.2.

Mr. Arijit Ganguly
Mrs. Mousumi Sarkar
...for the State.

Petitioner appears in person. Affidavit of service so filed be kept with the record.

Mr. Ganguly, learned senior advocate appears on behalf of the opposite party no.2.

Memo of evidence so filed by the learned advocate for the State be kept with the record.

Attention of the court has been drawn by Mr. Ganguly, learned advocate for the opposite party no.2 that earlier a connected appeal in connection with CRM (SB) 140 of 2023 was disposed on 19-12-2023 wherein this court granted liberty to the petitioner to approach the original court having jurisdiction along with the new materials which have surfaced in possession of the petitioner, pursuant to the order dated 24th August, 2023 wherein the application for cancellation of bail was dismissed.

As the petitioner is appearing in person with some notions he is under the impression that if he takes out an application before the original court, the same may not be disposed of within a reasonable period of time. In view of the apprehension expressed by the petitioner appearing in person, in case an application for cancellation of bail is filed by the petitioner in consonance with his submissions made on 19th December, 2023 in CRM(SB) 140 of 2023, the learned CJM, Alipore in connection Tollygunge P. S. Case No. 97 of 2023 would dispose of the said application after issuing usual notice to the parties as also to the State preferably by 10th May, 2024.

With the aforesaid observations, the application for cancellation of bail being CRM (SB) 13 of 2024 is disposed of.

This court has not entered into the merits of the application as would be reflected from the aforesaid order. The learned Magistrate would independently consider the contentions of the respective parties and arrive at its decision in accordance with law.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]

