

05-02-2024
Subha
Item no. 68
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 341 of 2024

Sasthi Sankar Maity
-versus-
The State of West Bengal and Anr.

Mr. Shambhu Nath Ray
Ms. Sharmistha Roychowdhury
Ms. Amrita Tewari
Ms. Tuhina Parven
Ms. Sonia Das
....for the petitioner.

Learned advocate for the petitioner in fact has challenged the order dated 11-01-2024. The petitioner is the complainant pursuant to whose complaint Kharagpur Town Police Station Case No. 433 of 2023 dated 15-09-2023 was registered for investigation. Learned Magistrate while considering the application for bail has directed regarding BL & LRO (one block) to conduct an enquiry regarding the factum whether the complainant has made any conversion.

It has been submitted that in the meantime inspection has been conducted. I find that the investigation of the aforesaid case is in progress. In an investigation under the relevant provisions of Section 4D of the WBLR Act it is the duty of the court to check regarding the issues relating to whether any water body or any land of such nature and character are being converted. Now if the complainant/petitioner is apprehensive regarding the outcome of such an enquiry he has to deal with it in an appropriate application

before a court having jurisdiction. This court is not in a position right now to assess as to whether the outcome of the enquiry would have an adverse effect on the complainant itself. The investigation as directed would continue. So far as the application of the petitioner is concerned, I do not find any merit to interfere at this stage. If situation so demands petitioner would be at liberty to approach this court.

With the aforesaid observation, the revisional application being CRR 341 of 2024 is disposed of.

Pending applications, if any, are consequently disposed of.

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]