

D/L23
05.03.2024
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C.R.R.435 of 2024

In Re: An application under Section 401 and 482 of the Code of Criminal Procedure;

Sri Surja Narayan Rakshit
Versus
State of West Bengal and another

Mr. Dipak Kumar Mookherjee
Ms. Monalisa Dhar.
...for the petitioner.

Mr. Debasish Roy, Ld.P.P.
Ms. Sreyashee Biswas.
...for the State.

Report submitted by Ms. Biswas, learned advocate appearing for the State in connection with Burdwan Police Station Case No.1493 of 2022 be kept with the record.

Report reflects that the present petitioner has been discharged from the case on the prayer of the investigating officer which is the subject matter of consideration by the learned CJM, Burdwan. On receipt of such report under Section 173 of Cr.P.C. learned Magistrate has issued notice to the de facto complainant and the same is pending for consideration. At this stage, the accused has no right to pray for expeditious disposal as the accused is not a necessary party in respect of the proceedings pending before the learned CJM, Burdwan.

Learned Magistrate will consider the liberty of the petitioner so involved as unnecessarily the proceedings are being dragged. Learned Magistrate would ensure regarding the service being effected upon the de facto complainant and consider the

prayer of the investigating officer as well as the de facto complainant within a period of three months from the next date so fixed.

With the aforesaid observations, CRR 435 of 2024 is disposed of.

Pending connected application, if any, is consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)