

24.04.2024
Item No.114
Ct.No.34
dc.

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION

C.R.R. 605 of 2024
with
CRAN 1 of 2024

In the matter of : **Rakesh Kumar Dugar** ... Petitioner.

Mr. Mainak Bose,
Mr. Rahul Kumar Singh,
Ms. Payel Mishra ... For the Petitioner.

Mr. Antarikhya Basu ... For the State.

Mr. R. Lakhmani,
Ms. P. Patwari ... For the Opposite Party No.2.

Affidavit-of-service filed in Court today be kept on
record.

The present revisional application was preferred
challenging the continuance of Sankrail Police Station Case
No. 901 of 2023 dated 24.11.2023. The genesis of the said
case was on the basis of an application under Section 156(3)
of the Code of Criminal Procedure initiated at the instance of
the opposite party no.2.

Mr. Basu, learned advocate appearing for the State has
submitted a report. Let the said report dated 12.04.2024 be
kept with the record.

At the concluding paragraph of the said report it refers
as follows :

*“The case is civil in nature and the police authority can’t
interfere into the matter much without the order from the
competent authority and we the police authority are
ready to comply with any such order and direction of the
Hon’ble Court.”*

Having considered the findings made by the Investigating Officer of the case, I direct that the Investigating Officer would be at liberty to file report under Section 173 of the Code of Criminal Procedure in accordance with law. However, it is directed that during the pendency of the proceedings, if any coercive measures are thought of against the present petitioner, then at least fifteen days time should be granted to the petitioner so that he can exhaust his remedies under the law.

With the aforesaid observations, the revisional application being CRR 605 of 2024 along with CRAN 1 of 2024 is disposed of.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)