

D/L23
25.04.2024
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C.R.R.850 of 2023

In Re: An application under Section 482 of the Code of Criminal Procedure, 1973;

Sankar Biswas and others
Versus
The State of West Bengal and another

Mr. Sabir Ahmed
Mr. Abdur Rakib
Mr. T. Ahmed
Mr. Dhiman Banerjee.
...for the petitioners.

Mr. Pravas Bhattacharya
Mr. M.F.A. Begg.
...for the State.

Memo of Evidence submitted by the State be kept with the record.

The report of the concerned Officer of Gazole Police Station, Malda reflects that there were two cases. The first case being Pundibari Police Station Case No.422 of 2022 dated 04.08.2022 under Section 498A of the Indian Penal Code which was initiated on the basis of a written complaint of Sabita Biswas. The said Sabita Biswas again filed a complaint with Gazole Police Station being Gazole Police Station Case No.642 of 2022 dated 05.08.2022 under Sections 498A/379/323/313/34 of the Indian Penal Code against the same accused persons.

In view of Pundibari Police Station Case No.422 of 2022 dated 04.08.2022 having been initiated first, I direct that all the materials collected in connection with Gazole Police Station Case

No.642 of 2022 dated 05.08.2022 be transferred by the learned CJM, Malda to the learned CJM, Cooch Behar. Both the cases be tried as one and the same case and a consolidated charge-sheet be submitted by the investigating officer of Pundibari Police Station. In case the investigating officer has been transferred, the Inspector-in-Charge of Pundibari Police Station will depute and endorse a particular officer for submitting the consolidated charge-sheet by taking into materials which have been collected in both the cases. Learned CJM, Cooch Behar would thereafter decide the course of action after the consolidated charge-sheet is submitted.

With the aforesaid observations, CRR 850 of 2023 is disposed of.

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

Case diary be returned to the learned advocate for the State.

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.)