

25-01-2024
Subha
Item no. 147
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1092 of 2022

Nityananda Chatterjee @ Nitai
-versus-
The State of West Bengal and ors.

Mr. Phiroze Edulji
Ms. Rajnandini Das
....for the petitioner.
Mr. Swapan Banerjee
Mr. Suman De
...for the State.

Report submitted by the IC in charge Ausgram PS, Purba Bardhaman through the learned advocate for the State be kept with the record.

Report reflects that the last of the efforts which was made by the Investigating Agency was on 25th February, 2021. Earlier, communications were made with the Forensic Science Laboratory and thereafter in respect of certain issues raised and some persuasions were made on January, 2021. Chargesheet in this case was filed on 26th February, 2021. For two years 11 month, there has been no activity on the part of the Investigating Agency relating to the materials, which they intend to retrieve from the mobile. Accordingly, I am of the view that further retention of the mobile will not serve any useful purpose and the same may be returned to the petitioner. The terms and the conditions on which the mobile phone is to be returned will be decided by the learned ACJM, Purba Bardhaman.

With the aforesaid observations, the revisional application being CRR 1092 of 2022 is disposed of.

The Investigating Officer was directed to be present before this court, in view of the order so passed, further appearance of the Investigating Officer before this court is dispensed with.

Case diary be returned to the learned advocate appearing on behalf of the State.

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]