

D/L27  
03.05.2024  
Bpg.

C.R.M. (SB)35 of 2024

In Re: An application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure, 1973;

Anita Ginodia  
Versus  
The State of West Bengal and others

Mr. Swarup Banerjee  
Mr. Arindam Chatterjee  
Mr. A. Pal  
Mr. Subham Biswas  
...for the petitioner.

Mr. Santanu Deb Roy.  
...for the State.

Mr. Ranjan Kumar Kali.  
...for the opposite party nos.2 and 3.

Memo of evidence along with the case diary so submitted by the learned advocate for the State reflects that final report has been submitted in connection with Panchla Police Station Case No.385 of 2023 dated 15.11.2023 under Sections 407/419/420 of the Indian Penal Code (which was registered initially under the aforesaid sections). Report under Section 173 Cr.P.C. also reflects that a prayer made by the investigating officer for accepting the final report and an information regarding the same being sent to the complainant about the result of the case.

The present is an application for cancellation of bail. Since the police authorities have filed the final report under the garb of want of evidence and inform the same to the complainant, it is for the complainant to take steps under Section 173(8) of the

Code of Criminal Procedure. Since with the submission of charge-sheet the issue relating to existence of cancellation of bail do not subsist, I am not inclined to interfere with the present application.

Accordingly, CRM(SB) 35 of 2024 is dismissed.

Memo of evidence so submitted by the learned advocate for the State be kept with the record.

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.)**