

18.04.2024
Sl.No. 21
Ct. 32
Amalranjan

In The High Court At Calcutta
Criminal Revisional Jurisdiction
Appellate Side

CRR 953 of 2018

Dharminder Singh and ors.
Vs.
The State of West Bengal and anr.

Mr. Provas Bhattacharya
Mr. MFA Begg.....for the State

Memo of evidence along with present status of the proceedings submitted by the State is taken on record.

Nobody appears on behalf of the petitioners on call. Even on earlier occasions no one represented the petitioners, no accommodation sought for.

This case pertains to the year 2018. In spite of giving several opportunities nobody appears on behalf of the petitioners on call today, as such case record is taken up for disposal on merit considering the nature of prayer and to avoid further delay.

The instant revisional application has been filed by the petitioners under sections 401 read with section 482 of the Criminal Procedure Code, 1973, praying for setting aside the order dated 11.10.2017 whereby the learned Magistrate after taking cognizance of the impugned chargesheet issued an warrants of arrest against the accused/petitioners in G.R. case no. 618 of 2016 arising out of Asansol (South) P.S case no. 106 of 2016 dated 7.3.2016.

The learned advocate appearing on behalf of the State produced Memo of evidence and present status of the proceedings wherefrom it reveals that the warrants of arrest were issued against the absconder accused persons, namely, 1) Dharminder Singh son of late Bachan Singh, 2) Goldi Kaur, daughter of late Bachan Singh and 3) Saranjit Kaur, daughter of late Bachan Singh respectively long ago and next date is fixed on 26.6.2024 for E/R of W/A.

Under the above facts and circumstances of the case, this court do not find any reason to set aside the said impugned order, which is under challenge, since the instant case has been finally culminated by filing chargesheet against the accused/petitioners under sections 306/323/34 of the IPC. Furthermore, on perusal of C.D specially the statement recorded under section 161 of the Criminal Procedure Code and other documents, it appears that there is prima facie case established against the present accused petitioners. Accordingly, learned court below has taken cognizance against them on the basis of the materials available in the C.D.

Consequently, this court do not find any merit of the prayer of the accused petitioners.

Accordingly, the instant revisional application being **CRR 953 of 2018** is dismissed without any order as to costs.

Interim order, if any, stands vacated.

Let the order be communicated to the Ld. Court below for information and taking necessary steps in accordance with law as expeditiously as possible.

Liberty is granted to all parties to act in terms of the copy of this order downloaded from the official website of this court.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties taking all legal formalities.

C.D. be returned.

(Ajay Kumar Gupta, J.)