

16.04.2024
Court No.34
rpan /24

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION

C.R.R. 2400 of 2023

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CRAN 1 of 2023

In the matter of : **Anirban Nag**
- Petitioner.

Mr. Sourjya Das,
Mr. Rabindra Kumar Mitra,
Ms. Poulami Bhowmick
....for the petitioner.
Md. Anwar Hossain
....for the State.
Mr. Ranjan Kumar Kali,
Mr. Diganta Das,
Ms. Avipriya Bose
... for the O. P. no.2.

Report, submitted by Md. Hossain, learned advocate appearing for the State in connection with Nager Bazar Police Station Case no.500 of 2022 dated 29th December, 2022 under Sections 498A/406 of the Indian Penal Code, be kept with the record.

This Court initially passed an order on 6th July, 2023 directing the Investigating Officer to continue with the investigation but not to take any coercive step so far as the present petitioner is concerned. The subject-matter of the revisional application relates to alleged offences under Sections 498A/406 of the Indian Penal Code. The Investigating Officer complains that in respect of recovery of the *Stridhan* articles and other documents the Investigating Officer intended to execute the search warrant at Motijhil Avenue and the order so passed by the learned Magistrate was shown to the present petitioner but he refused to cooperate and the entire incident was videographed.

The investigating agency has in the report also expressed that the case is on the verge of completion and only recovery of articles is left and would submit the report under Section 173 of the Code of Criminal Procedure.

Having regard to the attitude shown by the accused petitioner, I am of the view that at the investigation stage any non cooperation by a person, who is implicated in a case, because of an interim order pending would jeopardise the full process. Accordingly, the interim order earlier passed on 6th July, 2023 is hereby vacated.

The revisional application, being CRR 2400 of 2023 is disposed of with a direction to the petitioner to approach this Court after report under Section 173 of the Code of Criminal Procedure is filed before the jurisdictional court and the documents under Section 207 of the Cr.P.C are handed over to the petitioner.

Pending application, being CRAN 1 of 2023 is also 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 of all requisite formalities.

(Tirthankar Ghosh, J.)