

06-05-2024
Subha
Item no. 33
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 3388 of 2023

Dipali Mondal
-versus-
The State of West Bengal and Ors.

Mr. Swapan Kumar Mallick
Ms. Sudeshna Das
....for the petitioner.

Mr. Debasish Roy, Id. PP
Mr. Arijit Ganguly
Mr. Koushik Kundu
....for the State.

Mr. Tapas Maity
....for the opposite party no.3.

The present revisional application has been preferred against the order dated 06-07-2023 wherein the learned ACJM, Garhbeta accepted the final report submitted by the Investigating Officer in connection with G. R. Case No. 420 of 2020 corresponding to Garhbeta P. S. Case No. 379 of 2020.

Mr. Roy, learned Public Prosecutor appearing for State has submitted a report. Let the report be kept with the record.

The report reflects that due to non-availability of follow up action on the part of the BDO, Garhbeta-I Office and non-availability of incriminating official documents Investigating Officer could not establish charge under Sections 409/420 IPC against the accused persons.

Learned Public Prosecutor has referred to column no.17 under Section 173 of the Code of Criminal Procedure submitted by the Investigating Officer of the case.

Having regard to the contents available therein and the reasons

so assigned for closing the investigation the same is not acceptable to this court. Accordingly, the order dated 06-07-2023 passed by the learned ACJM, Garhbeta thereby accepting the final report and discharging the accused persons from the bail bond is hereby set aside.

The SDPO/Additional SP in charge of Garhbeta PS would supervise a further investigation to be conducted by a different Investigating Officer of Garhbeta PS in connection with Garhbeta P. S. case No. 379 of 2020.

Accordingly, the order dated 06-07-2023 is set aside.

Thus, the revisional application being CRR 3388 of 2023 is allowed.

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]