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21-08-2024
Ct. No.34
b.das

CRR No. 3554 of 2023

In the matter of : Ritaja Bhadra petitioner.

Mr. Anirban Dutta
Mr. Abhra Jena
Mr. Ayan Mondal ...for the petitioner.

Ms. Sujata Das ...for the State.

Heard learned counsels for the parties.

The petitioner is aggrieved by the order passed by the learned Additional Chief Judicial Magistrate, Bidhannagar on 20th July, 2023 in GR Case No.466 of 2022 turning down his Narazi petition.

Learned counsel for the petitioner submits that the accused persons have committed forgery by manufacturing false documents which includes citizenship documents and documents bearing forged stamp and seal of the Hon'ble Supreme Court.

The allegation pertains to several electronic evidence which were not sent for forensic examination. The investigation held by the investigating officer was perfunctory for which the petitioner filed Narazi application seeking further investigation of the case.

Learned counsel for the State produces the Case Diary and seeks necessary order.

It appears from the order impugned that the petitioner's prayer was turned down primarily on the anvil of the statement made by the investigating officer that all the necessary parameters of investigation were complied with during investigation and there was no necessity for further investigation of the case. The petition has been turned down by the learned Magistrate without assigning any reasons therefor and without considering the contention of the petitioner as made out in the application itself.

Without spending more words, this Court is inclined to hold that the order impugned is liable to be set aside.

The revisional application being CRR 3554 of 2023 is allowed. The order impugned dated 20th July, 2023 passed by the learned Additional Chief Judicial Magistrate, Bidhannagar in GR Case No.466 of 2022 is set aside.

Since this Court is informed that the case record has been transferred to the learned Judicial Magistrate, 1st Court, Bidhannagar, learned Additional Chief Judicial Magistrate is directed to take necessary steps for return of the case record to his file for reconsideration of the Narazi petition filed by the petitioner herein.

The learned Additional Chief Judicial Magistrate shall reconsider the Narazi petition filed by the petitioner and dispose of the same by a speaking and reasoned order upon dealing with all the points raised by the petitioner in

the petition. The application shall be disposed of by the learned Additional Chief Judicial Magistrate within one month from the date of communication of this order.

Case Diary be returned.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)