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05.04.2024
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C.R.M.(SB) 233 of 2023

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

Manali Ajmera
Versus
State of West Bengal and others

Mr. Manjit Singh
Mr. Shakeel Mohammed Akhter
Mr. Biswajit Mal.
...for the petitioner.

Mr. Bitasok Banerjee.
...for the State.

Mr. Snehasish Sutradhar.
...for the opposite party no.2.

Pursuant to the directions passed by this Court, two reports have been submitted. Let the same be kept with the record.

The concerned investigating officer of Tollygunge Police Station presently posted at Polerhat Police Station, Bhargar Division who was in-charge of the investigation of Tollygunge Police Station Case No.236 of 2023 dated November 11, 2023 took efforts pursuant to the statement made by the complainant and accordingly prepared inventory list after taking up the list of articles which were demanded and said to be jewelleries which were given in the form of dowry at the time of marriage and/or stridhan articles. After the exercise was carried out, the investigating officer could not trace out or match the list of such jewelleries with the locker which was maintained with the Indian Overseas Bank as pointed out by the de facto complainant. Efforts were put in and it cannot be said

that the investigating officer has not worked out on the information so furnished by the de facto complainant. The case diary has been produced. Case diary reflects that the investigation is at the concluding stage and the report under Section 173 Cr.P.C. is to be filed.

Accordingly, I direct that the investigating officer would consult the superior officer-in-charge who has been monitoring the case would apply his mind in respect of the materials collected before submission of the report under Section 173 Cr.P.C. If the learned Magistrate on receipt of the report under Section 173 Cr.P.C. is of the opinion that prima facie offence is made out and cognizance in respect of the offences are to be taken, in that case, the learned Magistrate would after taking cognizance take steps for supply of copies to the accused persons and fix schedule on dates in such a manner that the stage of consideration of charges under subsequent stages if any be done by fixing at least initially one date in every fortnight and thereafter one date in a month till the case is taken to its logical conclusion within a reasonable period of time.

With the aforesaid observations, C.R.M.(SB)233 of 2023 is disposed of.

Case diary be returned to the learned advocate appearing for the State.

Pending connected application, if any, is consequently disposed of.

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.)