

CRR 265 of 2025

In the matter of:

Arnab Pramanick

... petitioner

Mr. Arnab Pramanick

... petitioner in person.

Mr. Arijit Ganguly
Ms. Debjani Sahu

... for the State

The petitioner appearing in person submits that he is the de facto complainant in this case. In the instant case he filed an application to conduct a case himself, which was turned down by the Magistrate by an order dated 06.03.2024 whereby he was asked to approach the Legal Services Authority for engagement of a learned counsel.

Learned counsel for the State opposes the application and submits that there is hardly any ground for interference. It is up to the learned trial court to allow the petitioner to conduct the case himself or not. He is only the de facto complainant.

It is true that the petitioner is merely the de facto complainant in this case and has a very limited role in conducting a police case. It will ordinarily be conducted by the learned Public Prosecutor and the petitioner may assist him.

Moreover, it is also for the trial court to be satisfied as to whether the petitioner appearing in person was otherwise competent to appear in Court in person and advance submissions, if any, in the capacity of a de facto complainant.

It does not appear from the impugned order that any satisfaction or dissatisfaction in this regard has been recorded.

Therefore, the impugned order is set aside to the limited extent that the trial court shall consider whether the petitioner would be permitted to appear in Court in person.

The matter is, accordingly, remanded back. Let a fresh reasoned order be passed by the learned Magistrate in accordance with law.

Accordingly, the revisional application is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)