

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE**

Present:

The Hon'ble Justice Shampa Dutt (Paul)

C.R.R. 607 of 2021

**Chanu Bibi @ Chand Sultana Bibi Mondal
Vs.
The State of West Bengal & Ors.**

For the Petitioner	:	Ms. Chandreyi Alam, Adv.
For the State	:	Mr. Rudradipta Nandy, Adv.
For the O.P. Nos. 2 & 3	:	Mr. Sk. Abdus Salem, Adv. Mr. Kamruddin Mirza, Adv. Ms. Reshmi Khatun, Adv.
Hearing concluded on	:	15.01.2025
Judgment on	:	22.01.2025

Shampa Dutt (Paul), J.:-

1. The present revisional application has been preferred praying for expeditious disposal of an application filed by the petitioner in the trial Court for further investigation, which is now pending before the court of learned Additional Sessions Judge, Katwa, in S.C. No.132 of 2013 arising out of Katwa P.S. Case No. 214/09 under Sections 370/371/323/506/34 of IPC.
2. The learned counsel for the State has filed a report.

3. Vide an order dated 27th September, 2022, a co-ordinate Bench of this Court passed an order directing the Special Superintendent of Police, C.I.D., West Bengal, to take steps as per the prayer of the investigating officer, Katwa police station wherein the investigating officer had sent a request to the Special Superintendent of Police, C.I.D., West Bengal, for circulating the photograph of victim, namely, Saifuddin Mondal for C.I.G. publication.
4. A compliance report dated 20th October, 2022 in this regard was filed before the Court on 4th November, 2022, wherein Special Superintendent of Police, C.I.D., West Bengal, informed the Court as follows:-

“In compliance with the order dated 27/09/2022 passed by the Hon’ble High Court, Calcutta in respect of Katwa PS Case No.214/2009 dated 27.07.2009 u/s 370/371/323/506/34 IPC, this is to submit that a prayer was submitted by the Katwa PS at MPB section CID West Bengal for creating a missing persons’ profile for wide circulation in the month of November 2010.

Accordingly a file was opened in the name of the victim Saifuddin Mondal s/o Kalam Mondal of Jaughulidanga, PO – Koshigram, PS – Katwa, Burdwan vide MPB File No.56-2010/16/M912 dated 15.11.2010. The details of the victim Saifuddin Mondal s/o Kalam Mondal was published in the Criminal Intelligence Gazette (CIG) of June 2011 at Sl. No.24, page No.10 of the category ‘Details of the Missing Persons’. The said Criminal Intelligence Gazette (CIG) was published under the signature of the then Director General of Police, CID West Bengal and had been circulated to all concerned via-mail vide memo No.7312/CIW/CID dated 23.08.2011. The copies of the

relevant portion of the Criminal Intelligence Gazette (CIG) are attached herewith as Annexure A.”

5. Subsequently the co-ordinate Bench vide another order dated 4th November, 2022, taking note of the fact that prayer for further investigation was pending before the trial court **directed the Special Superintendent of Police, C.I.D., West Bengal, to entrust investigation to a competent officer in the rank of Inspector of Police and it was directed that a report accordingly be submitted.**
6. It is further noted from the subsequent orders of the co-ordinate Bench, that in spite of sincere efforts on taking assistance of Indian Railways, the victim could not be traced out till date. On several occasions time to submit further report was extended by the Court.
7. However, at this stage a status report has been filed by the C.I.D., West Bengal, wherein it has been extensively stated as to the steps taken by them.
8. **Finally, it has been stated that the investigation in the present case is under progress. The C.I.D., West Bengal, has been able to fix the place of missing in Andhra Pradesh but the missing person, namely, Saifuddin Mondal is yet to be traced out.**
9. **The incident in the present case occurred in the year 2008 and the victim is missing since 23rd May, 2008.**
10. However, **an exception to the report** has been filed by the petitioners with a prayer that the mother of the victim and the *de facto* complainant be examined and heard by the investigating authority in the interest of justice and also for assisting in further investigation, under progress.

11. Considering the fact that a co-ordinate Bench of this Court has already handed over the investigation in this case to the C.I.D., West Bengal, the prayer for further investigation before the trial court has now become infructuous and as such, a prayer for further investigation before the trial court stands disposed of.
12. Considering the submissions of the parties and the materials on record the revisional application being **C.R.R. 607 of 2021 is disposed of** with the direction that the investigating authority being the C.I.D., West Bengal, herein shall record the statement of the victim's mother and the *de facto* complainant and then proceed with the investigation in accordance with law.
13. **The investigating agency shall submit a report in final form before the trial court within three months from the date of this judgment/order.**
14. **CRR 607 of 2021 is disposed of.**
15. All connected applications, if any, stands disposed of.
16. Interim order, if any, stands vacated.
17. Copy of this judgment be sent to the learned Trial Court for necessary compliance.
18. Urgent certified website copy of this judgment, if applied for, be supplied expeditiously after complying with all, necessary legal formalities.

[Shampa Dutt (Paul), J.]