

22.09.2025

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Ct. No. 26

S.D.

C.R.R. 1816 of 2025

In re: An application under Section 528 of the B.N.S.S., 2023.

-And-

In the matter of: **Manish Dey**

....Petitioner

Mr. Pritam Roy
Ms. Triparna Roy
...for the Petitioner
Ms. Deblina Lahiri
Mr. Mrinmoy Chatterjee
....For the O.P. No. 2

Revisional application is directed against an order dated February 28, 2025 passed in Kalyani Police Station Case No. 72 of 2023.

Learned advocate appearing for the petitioner submits that further investigation was directed to undertake a fishing and roving enquiry which is not permissible in law.

In support of such contentions, he relies upon **(2017) 4 SCC 177 (Amrutbhai Shambhubhai Patel vs. Sumanbhai Kantibhai Patel & Ors.)** and **2024 SCC OnLine SC 2643 (K Vadivel vs. K. Shanthi & Ors.)**.

Learned advocate appearing for the private opposite party relies upon **(1999) 5 SCC 740 (Sri Bhagwan Samardha Sreepada Vallabha Venkata Vishwanandha Maharaj vs. State**

of A.P. & Ors.) to contend that the impugned order should be sustained.

State is represented.

The police complaint is of 2023. Police complaint needs to attain finality by conclusion of the investigations, at the basic minimum.

Since, the order for further investigation was issued on February 28, 2025, in my view, ends of justice would be subserved by requiring the police to conclude the investigations and submit appropriate report before the Jurisdictional Court within a fortnight from date.

In view of such direction, I am not minded to enter into the applicability of the ratio laid down in the three authorities cited at the Bar, in the facts and circumstances of the present case.

C.R.R. 1816 of 2025 is **disposed of** accordingly.

Since I did not enter into the merits of the rival contentions, all points raised are kept open.

(Debangsu Basak, J.)