

IN THE HIGH COURT AT CALCUTTA**(Criminal Revisional Jurisdiction)****Appellate Side****Present:****The Hon'ble Justice Ananya Bandyopadhyay****CRR 2428 of 2025**

ALAMGIR HOSSAIN MOLLA

VS

STATE OF WEST BENGAL

For the Petitioner : Ms. Rita Patra

For the State : Mr. Debabrata Chatterjee
Ms. Mousumi Sarkar

Heard on : 10.09.2025

Judgment on : 10.09.2025

Ananya Bandyopadhyay, J.:

1. The instant revisional application has been filed being aggrieved by the order dated 05.05.2025 whereby the learned ACJM, Baruipur had dismissed the M.P. Case No.295 of 2025, inter alia, observing on perusal of the report of the concerned Police Station no such complained as claimed to have been filed by the petitioner was received by the Police Station and no cognizable offence was committed.

2. The learned advocate representing the petitioner submitted that the complaint had been filed before the Bodra Police Station which was not considered by the aforesaid Police Station. Thereafter, a complaint was

directly filed in the Court of Learned ACJM, Baruipur, South 24 Parganas under Section 175(3) of BNSS.

3. Based on such contention of the petitioner the Learned Trial Court vide order dated 29.03.2025 had directed the concerned Police Station to file a report within 20 days as to whether any such complaint had been filed by the petitioner. The concerned Police Station had subsequently filed a report stated to have not received any complaint from the petitioner. The claim and counter claim of the petitioner as well as the Police Station cannot be mitigated in absence of relevant records.

4. The petitioner is at liberty to file afresh complaint at the concerned Police Station and the Learned Advocate representing the State is to monitor the same and issue necessary instruction upon the concerned Police Station to accept the complaint and proceed in accordance with law.

5. CRR 2428 of 2025 is accordingly disposed of.

6. Urgent certified website copy of this judgment, if applied for, be supplied expeditiously after complying with all, necessary legal formalities.

(Ananya Bandyopadhyay, J.)