

17.03.2025
rc/ct.no.34
Item No.159

CRR No.3019 of 2024
With
CRAN No. 1 of 2025

In the matter of : Dipak Mondal

.....Petitioner

Mr.Kunal Ganguly	
Ms. Ipsita Ghosh	...for the Petitioner
Mr. Arnab Chatterjee	
Mr. Ayon Boral	for the O.P.No.2
Mr. Suman De	
Mr. Arani Bhattacharyya	for the State

Re : CRAN No. 1 of 2025

The petitioner seeks condonation of delay in filing the revisional application.

Heard learned counsels for the parties.

Good grounds being shown, the delay is condoned.

The application being CRAN No. 1 of 2025 is allowed.

Re : CRR No.3019 of 2024

The petitioner is aggrieved by the order dated March 22, 2024 passed by the learned Additional Chief Judicial Magistrate, Uluberia, Howrah in connection with G.R.Case No. 2682 of 2022 accepting the final report submitted by the Investigating Officer without hearing him.

It appears that on the relevant date i.e. March 22, 2024, the petitioner was absent and sought adjournment. The adjournment petition was not moved. The learned Magistrate accepted the FRT.

Since it is submitted on behalf of the petitioner that a Naraji application has been filed against the FRT and the petitioner intends to place his contention before the learned Magistrate in connection with the same, justice demands that the petitioner be granted an opportunity of hearing before the learned Magistrate in dealing with the FRT as well as Naraji application.

In view of the above, the order impugned dated March 22, 2024 passed by the learned Additional Chief Judicial Magistrate, Uluberia, Howrah is quashed/set aside. The learned Magistrate is directed to deal with the FRT as well as Naraji application upon granting reasonable opportunity of hearing to the petitioner and the State of West Bengal and dispose of the same within one month from the date of communication of this order.

It is made clear that this Court has not gone into the merits of this case and the learned Magistrate shall be at liberty to deal with the matter independently in accordance with law.

CRR No. 3019 of 2024 is disposed of accordingly.

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

(Suvra Ghosh,J)