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12.08.2025
Court. No. 550
Jayanta

CRR 3485 of 2024

AMIT MANDAL
VS
STATE OF WEST BENGAL AND ORS.

Mr. Imtiaz Ahmed
Mr. Ghazala Firdaus
Mr. Mofakkerul Islam
Mr. Sk. Saidullah
Mr. Mithun Mondal
Mr. Md. Arsalan
Ms. Zannat Haque

...for the petitioner.

Mr. Debasish Roy, Ld. PP
Mr. Saryati Dutta
Mr. Dipankar Mahata

...for the State.

1. The learned counsel for the petitioner has submitted that though he has prayed for quashing of the relevant proceeding being GR 6896 of 2022 pending before the learned Judicial Magistrate, 2nd Court, Malda, however, he has left the matter to the discretion of this Court to ascertain whether there is any ingredient of offence punishable under Section 326 IPC or not.
2. The learned counsel appearing for the State Mr. Dutta, has also fairly submitted that he does not find any material to show that there are ingredients of offence punishable under Section 326 IPC in view of the relevant charge sheet submitted by the concerned investigating officer.

3. I have considered the entire materials on record including the charge sheet, medical report of Biswajit Mondal and Menoka Mondal. I find that the investigating agency has failed to establish any ingredients of offence punishable under Section 326 IPC against the present petitioner.
4. In view of above facts and circumstances, as the investigating agency has failed to bring on record any material to the effect that the accused has committed any offence punishable under Section 326 IPC, it is expected that the learned Trial Judge will consider the same at the time of framing of charge against the present petitioner and pass appropriate order.
5. With the above observation I would like to dispose of the instant Criminal Revision.
6. Accordingly, the instant Criminal Revision application is disposed of.
7. There shall, however, be no order as to costs.
8. Urgent certified photocopy of this order, if applied for, be supplied as expeditiously as possible.

(Apurba Sinha Ray, J.)