

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

14.02.2025
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C.R.R. No. 3760 of 2024

In Re : An application under Section 528 of the BNSS.

And

In Re : Manoj Das petitioner

Mr. Aritra Palit
Mr. S. Bhattacharya

..... for the petitioner

1. Petitioner has prayed for quashing of the proceedings of ACGR Case No. 2218 of 2024 arising out of FIR No. 75 of 2024 of Netaji Nagar Police Station Case dated 23.04.2024 filed under Sections 341/325/338/427/506/34 of the Indian Penal Code now pending before the learned Additional Chief Judicial Magistrate, Alipore.

2. Learned Counsel for the petitioner submits there is inordinate delay in lodging FIR. He also submits allegation of assault does not match with the medical papers.

3. I have considered the allegations of the FIR. In the FIR it is alleged on 27.12.2023 the opposite party no. 2 had been accosted by the petitioner who slapped and brutally assaulted him. As a result he became unconscious and had to be taken in M.R. Bangur Medical College. Thereafter he was shifted to Sankar Netralaya Mukundapur and has lost his right eye vision. The aforesaid allegations *prima facie* disclose ingredients of cognizable offences. Injury of the victim is

serious. Delay in lodging FIR was due to medical treatment and cannot improbabilise the allegations.

4. Hence, I do not find any merit in the present application.

5. Accordingly, the application is dismissed.

6. Urgent photostat certified copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Joymalya Bagchi, J.)