

27.01.2025
36(DL)
srm

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR No. 3806 of 2024

Sri Susanta Kumar Pal

Versus

The State of West Bengal & Ors.

Mr. Kamalesh Chandra Saha,
Ms. Payel Mitra

...for the Petitioner.

Mr. Suman De,
Mr. Tapas Kumar Saha

...for the State.

The petitioner is aggrieved by the order dated 22nd July, 2024 passed by the learned Additional Chief Judicial Magistrate, Barrackpore in G.R. Case No.8379/20 turning down the application filed by the petitioner for further investigation. The FRMF submitted by the investigating authority was accepted by the learned Magistrate by the said order.

Learned counsel for the petitioner submits that the final report submitted by the investigating officer is only a table work and the witnesses referred to by the petitioner in the complaint were not examined. Also, the investigation held by the investigating officer is perfunctory and does not depict the real state of affairs.

Referring to the case diary, learned counsel for the State submits that the witnesses referred to by the petitioner did not appear before the investigating officer despite search. Several

grounds for further investigation have been taken on behalf of the petitioner before this Court which have not found place in the narazi petition. In fact, the narazi petition is devoid of any ground whatsoever justifying further investigation.

Since several grounds for further investigation have been placed before this Court, the petitioner is at liberty to file fresh narazi application before the learned Additional Chief Judicial Magistrate, Barrackpore indicating the reasons which would justify further investigation of the case. The learned Magistrate shall deal with the application in accordance with law without being influenced by his observation made in the order impugned.

The order impugned dated 22nd July, 2024 is, therefore, set aside.

CRR 3806 of 2024 is disposed of.

The case diary be returned.

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

(Suvra Ghosh, J.)