

CRR 3877 of 2015

**Pradip Das & Ors.
Vs.
The State of West Bengal & Anr.**

1. None appears on behalf of the petitioners.
2. From the record it is transpired that on several occasions the petitioners were granted opportunity but unfortunately they did not proceed with the hearing of the instant matter.
3. The record shows that the present revisional application was filed by the petitioners challenging the order dated 21.11.2014 passed by the learned Court of Additional Chief Judicial Magistrate at Barrackpore in respect of charge-sheet being No.393 of 2014 dated 21.11.2014 under Section 448/323/506/34 of the Indian Penal Code in connection with Baranagar Police Station Case No.660 of 2014 dated 18.09.2014 corresponding to G.R. No.5238 of 2014 by which the learned Additional Chief Judicial Magistrate at Barrackpore took cognizance on filing of the charge-sheet.
4. I have gone through the materials on record including the relevant order dated 21.11.2014. It appears that charge-sheet being No.393 dated 30.09.2014 under Section 448/323/506/34 of the Indian Penal Code was filed against Sudhamoy Mukherjee @ Babu, Tuhin Goswami, Pradip Das and Prajit Das. The said order prima facie shows that the learned Additional Chief

Judicial Magistrate has considered all documents and statements of the witnesses and thereafter the learned Court took cognizance. Prima facie, it appears that the learned Additional Chief Judicial Magistrate at Barrackpore, North 24-Parganas did not commit any wrong since he had specifically mentioned that he considered all relevant materials including the statements of witnesses recorded under Section 161 of Cr.P.C. before taking cognizance.

5. I do not find any illegality or irregularity in passing such order, particularly, when the Court is enjoined under law to form its opinion on the basis of prima facie materials brought on record.
6. In view of the same, I do not find any reason to allow the present revisional application.
7. Accordingly, the instant criminal revisional application being CRR 3877 of 2015 is stands dismissed. However no order as to cost.
8. Interim order, if any, stands vacated.
9. Urgent Photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Apurba Sinha Ray, J.)