

21.05.2026
SL No.20
Court No.5
S.Gayen

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL REVISIONAL JURISDICTION**

CRR 58 of 2024

In the matter of: **Minati Sen (Chakraborty) @ Rinku**

...Petitioner

Mr. Jaydeep Kanta Bhowmik
Mr. Sayantan Bhowmik
Ms. Jasmin Haque
Ms. Priti Das

...for the Petitioner

Mr. Hillol Sara Podder

...for the Opposite Party Nos. 1 & 2

Mr. Nilay Chakraborty, Ld. APP (in-charge)

...for the State

1. The petitioner has filed the present revisional application challenging the impugned order dated 07.12.2023 in NGR Case No. 1586 of 2023 pending before the Sub-Divisional Magistrate, Jalpaiguri.
2. Learned counsel for the petitioner submits that the Sub-Divisional Magistrate has issued the impugned order dated 07.12.2023 without any reason.
3. This Court finds that the petitioner has challenged the impugned order wherein the Sub-Divisional Magistrate on receipt of the Kotwali P.S. vide PR No. 2595 of 2023 dated 31.10.2023 has *prima facie* satisfied that there is an apprehension of breach of peace over the issue and accordingly by invoking the provision under Section 107 of the CrPC directed the petitioner to appear before the Sub-Divisional Magistrate on 21.12.2023 and to file show cause as to why they should not be directed to execute bond

of Rs. 5000/- each to keep peace in the locality. Though the petitioner has challenged the said impugned order but the petitioner has not disclosed the Kotwali P.S. vide PR No. 2595 of 2023 on the basis of which after being satisfied by the Sub-Divisional Magistrate has initiated the proceeding under Section 107 of the CrPC. Without going through the PR No. 2595 of 2023, the petitioner has filed the present revisional application challenging the impugned order on the allegation that the Sub-Divisional Magistrate without any reason has started the proceeding.

4. This Court failed to appreciate the submission made by the learned counsel for the petitioner that if the petitioner has not gone through the Kotwali P.S. vide PR No. 2595 of 2023 dated 31.10.2023, how the petitioner came to know the Sub-Divisional Magistrate without any reason has initiated the proceeding.
5. In view of the above, the revisional application being **CRR 58 of 2024** is **dismissed**.
6. However, this order will not prevent the petitioner for taking appropriate steps in future if the petitioner is aggrieved with any order, if any, passed in the instant case by the Sub-Divisional Magistrate.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.
8. Urgent Photostat certified copy, if applied for, be given to the parties upon compliance with all formalities.

(Krishna Rao, J.)