

IN THE COURT OF SESSIONS JUDGE, PURBA BARDHAMAN

Present: Sri Bimal Kanti Bera (WB00681)
Sessions Judge, Burdwan
District – Purba Bardhaman

Criminal Revision No.52 of 2025
(CNR –WBBD01-003060-2025)

Buddhadeb Dhuli -:Versus:- Sk. Asad Ali & the State of West Bengal
Order No.13, dated 16.06.2026.

The parties have filed their respective hajira.

The instant criminal revision is taken up for hearing.

Heard.

The instant revision has been preferred challenging the order no.1 dated 21.06.2025, passed by the learned Chief Judicial Magistrate, Burdwan in M.P. Case No.654 of 2025.

The respondent no.1 made a petition of complaint under Section 175(3) of the B.N.S.S. for a direction on the O.C. of the concerned P.S. to register the petition of complaint as F.I.R. and investigate into the case. By the impugned order, learned Chief Judicial Magistrate directed the O.C. Bhatar P.S. to cause preliminary enquiry and submit report duly supported by affidavit.

Being aggrieved, Buddhadeb Dhuli the Officer-in-Charge of Bhatar P.S. has preferred the instant revision.

The revision has not been filed in the name of the State but by the O.C. in his personal capacity which does not appear to be lawful.

Section 175(3) of the B.N.S.S. confers jurisdiction on the Magistrate to make enquiry and thereafter, may pass order for investigation. The only grievance of the concerned O.C. is about swearing affidavit. The revisionist has not specifically stated how the impugned order is prejudicial to the O.C. or how it has infringed any right of the revisionist.

As per Section 438(2) of the B.N.S.S. no revision lies against the interlocutory order.

Considering the facts and circumstances of the case it seems that the impugned order is interlocutory one.

In view of the above discussion, the instant criminal revision is liable to be dismissed.

C.F. paid is sufficient.

Hence, it is,-

-: O R D E R E D :-

that the instant criminal revision be and the same is dismissed on contest without any order as to costs.

Interim stay, if any, stands vacated.

Let a copy of this order be sent to the Court of Learned Chief Judicial Magistrate, Purba Bardhaman, for information.

Dictated & corrected by me

Sessions Judge,
Purba Bardhaman

Sessions Judge,
Purba Bardhaman