

## GR 3033/2011

Order dated:

04.09.2023

Today the date is fixed for evidence.

Sole accused Sk. Rustom is absent by petition.

SR of CSW-1 & 2 is received unserved with the report.

It appears from the report that C.S. address of the CSW-1 & 2, namely Israfil Mistri and Riyatan Bibi does not fall under the jurisdiction of this police station, rather, it falls under Rajapur PS.

It appears from the record that this case was registered before Uluberia P.S. But the original summon against the CSW-1 & 2, namely Israfil Mistri and Riyatan Bibi has been returned due to want of jurisdiction and prays for passing necessary order. The officer so directed has the duty to serve the same and submit the report. It is beyond his jurisdiction and contravention of the provision of Section 67 Cr.P.C to return the original summon without its service. So, the conduct of I/C, Uluberia PS is not acceptable. Hence, the ground and reason for returning the original summon are beyond the provision of law. So, I find no ground to accept the report as the same is without sufficiency of reason.

Accordingly, considering the conduct of the I/C- Uluberia P.S, he is directed to appear in person with explanation and show cause as to why the legal action shall not be drawn up against him.

Let a copy of this order along with copy of summon be sent to the I/C- Uluberia P.S.

BC-II is directed to comply.

Fix 30.09.2023 for explanation and show cause by the I/C, Uluberia PS and evidence.

D/C by me

J.M. 2<sup>nd</sup> Court Uluberia

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