

MACC 96 of 2022

Order No.18

06.02.2025

The OP no.2 files hazira.

The claimants file a petition u/s 159 of M.V Act thereby praying for necessary direction upon the O/C, Meteli PS to cause production of accidental information report along with charge sheet in connection with Meteli PS case no. 121/2022 dated 05.06.2022.

Copy served.

Heard the Id lawyers for the claimants and the OP no.2 at length.

The Id lawyer for the claimants submits that in the case no accidental information report along with copy of charge sheet having been mandatory, yet been submitted by the police. He accordingly, submits that the O/C concerned should be directed to submit the copy of charge sheet and accidental information report in the case.

The Id lawyer for the OP no.2 put no objection.

On perusal of the instant petition and the other materials on record it appears that by an order dated 28.02.2023 an accidental information report was already called for by this Court at the instance of the claimants.

It appears from order dated 25.04.2023 that accidental information report was received by the Court. It, however, appears from the record that only a forwarding letter of certified copy of documents except charge sheet dated 24.04.2023 was duly forwarded before this Court and it was received on 25.04.2023. It is, therefore, found that though the copy of documents as called for vide order dated 28.02.2023 was submitted by the I/C concerned PS but, no accidental information report in the prescribed form as called for vide order dated 28.02.2023 has yet been submitted by the police.

Since accidental information report has already been called for by this Court on 28.02.2023, I find no merit to the instant petition filed by the claimants u/s 159 of M.V Act.

Hence, the instant petition u/s 159 of M.V Act filed by the claimants is considered and stands rejected without cost.

It is, however, found that there is no accidental report as called for earlier by this Court till date. It is found further that copy of charge sheet was also sought to be called for with accidental information report in the petition of the claimants u/s 158(6) of M.V Act on the basis of which accidental information report was called for.

In the conspicuous, the I/C, Meteli PS is hereby directed to submit the accidental information report in prescribed form along with copy of charge sheet as already called for by this Court on 28.02.2023, before this Court on the next date positively.

The petition filed by the claimants praying for time for PH is accordingly, considered and allowed.

To **10.03.2025** for AI report.

Let a copy of this order be sent to the I/C concerned.

Office to comply.

d/c.

Sd/-

Judge, MAC Tribunal
ADJ, 2nd Court, Alipurduar

Sd/-

Judge, MAC Tribunal
ADJ, 2nd Court, Alipurduar