

Sessions Case No.136/2010
Present :- Sri S.M. Tripathi,
Addl. Dist. & Sessions Judge,
Fast Track, First Court,
Malda .

Order no.74.

20.03.2014 Today is fixed for passing order in respect of the petition U/s 321 of Cr.PC.
Seen the petition and xerox copy of letter Memo no. 585(C), dated-
07.02.2013 from Legal Remembrancer to the Govt. of West Bengal addressed to PP,
Malda, English Bazaar PS case no. 137/1997, Malda District Judge Court , Malda,
from where it appears that no objection has been in withdrawal of the case U/s 321
of Cr.PC .

Ld. PP submitted that prosecution does not like to proceed with the case
against the accused persons . Accused persons are falsely implicated in this case during
investigation . No objection raised from the side of defence and it is submitted that
there is no case against the accused persons . The case if proceed, it will waste the
public money .

After going through the case record and order-sheets of this case I find that
charge for the offence U/s 302/323/379/120-B/34 of I.P.C was framed against the
accused persons with the observation that there is a prima-facie case for the above
offence against the accused persons on 18.11.2010.

It further appears that petition on behalf of the prosecution U/s 321 of Cr.PC
has been disposed of, after hearing the prosecution and the defence on 12.06.2013. By
that order the petition U/s 321 of Cr.PC has been rejected by this Court . The present
petition does not disclose any new thing . The order dated- 12.06.2013 is not revisable
by this Court . In such circumstances, the petition U/s 321 of Cr.PC stands rejected .

To-date .

Dictated & corrected
by me .

A. S. J

Addl. Dist. & Sessions Judge,
Fast Track, First Court, Malda.