

31.01.2022

CRR 221 of 2022

Ct. No. 39

In the matter of:- Manimala Manna

...petitioner

Mr. Ayan Bhattacharjee.
....for the petitioner.

Learned Counsel appearing on behalf of the petitioner submits as follows. The petitioner is the de facto complainant in this case while the opposite party no.2 is the accused. In 2017, the petitioner lodged a partition suit regarding her ancestral property. In the said suit, a gift deed came to light. It was actually a forged deed. There were three witnesses mentioned in the said deed. Two of them were not examined by the investigating officer under Section 164. Subsequently, all these witnesses affirmed affidavits stating that the investigating officer tried to botch up the case and were threatening them to depose falsely. In fact, proper specimen signatures were not taken properly from the witnesses so that the mismatch could not be apparent.

Let the petitioner serve a copy of this application upon the State through the learned Public Prosecutor and upon the opposite party no.2 by speed post with acknowledgment due, within a week and file an affidavit of service to that effect on the next date of hearing.

Let this matter appear as a 'Listed Motion' three weeks hence.

The State is directed to produce the case diary on the next date.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)