

17.09.2025
Ct. No.446
SL. No.16
KS

C.R.R. 3791 of 2025
Sri Kalyan Bhattacharya
-Vs.-
The State of West Bengal & Anr.

Mr. Subhadeep Chatterjee
....For the Petitioner

1. This instant criminal revisional application has been filed for passing appropriate order in the case being, G.R. Case No.4148 of 2023 arising out of Khardah Police Station Case No.313 of 2023 dated 16th May, 2023 under Sections 447/ 341/ 323/ 345/ 354B/ 506/ 34 of the Indian Penal Code for clarification of the order dated 26th June, 2025 now pending before the learned Court of learned A.C.J.M. at Barrackpore, North 24 Parganas.
2. It is submitted by the learned advocate appearing for the petitioner that a complaint was lodged by the opposite parties against the petitioner and accordingly, F.I.R. was registered and that was pending before the learned Court of Chief Judicial Magistrate, Barrackpore, North 24 Parganas.
3. Subsequently, on 2nd December, 2023, the I.O. submitted F.R.F. on 22nd November, 2023 and also made a prayer to submit Prosecution against the de facto complainant under Sections 182/211 of the Indian Penal Code.
4. Pursuant to the direction to the direction passed by the Co-ordinate Bench on 20th December, 2023, the learned Magistrate was directed, before accepting such report under Section 173 of the Code of Criminal Procedure, to issue notice to the de facto complainant to place her grievance. The opposite party no.2 filed one Naraji petition against the report of the I.O. and also an application for cancellation of bail when after hearing the parties, the learned Court passed an order on 20th June, 2025 whereby both the prayers were refused.

5. It is the specific contention of the learned advocate that the order is silent about the F.R.F., which has been filed, whether F.R.F. was accepted or not and no further date is fixed, in this regard and that apart, the petitioner wanted to move the necessary application before the learned Court, which was also not considered.
6. On a careful perusal of the order dated 20th June, 2025 though it can be seen that the application for further investigation, was not considered and rejected, nothing as mentioned, regarding the acceptance of F.R.F. and Prosecution under Sections 182/211 of the Indian Penal Code against the complainant.
7. Accordingly, the matter is required to be heard out in presence of the opposite parties.
8. Accordingly, petitioner is directed to serve copy of this criminal revisional application alongwith all annexures upon the State/O.P. No.1 through the office of the learned Public Prosecutor, High Court, Calcutta and the opposite party no.2 by Speed Post with acknowledgement due and file affidavit of service to that extent on the next date fixed for hearing.
9. Let the matter be listed in the Combined Monthly List of November, 2025 before the Regular Bench under the heading "Contested Application".
10. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Chaitali Chatterjee (Das), J.)