

02
13.05.2024
Ct. No.3
RS

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Criminal Revisional Jurisdiction
Appellate Side**

CRR No. 50 of 2021

NOOR @ NUR ISLAM ALI @ PETLA AND ANR

-VS-

THE UNION OF INDIA

Mr. Sourav Ganguly, Adv.
Ms. Rishita Chakraborty, Adv.

... for the petitioners

Mr. Sudipto Kumar Mazumdar, Adv.
Mr. Ajoy Kumar Singhania, Adv.
Mr. Sourab Kar, Adv.

... for the Union of India

Mr. Sourav Ganguly, learned counsel, is appearing for the petitioners. Mr. Sudipto Kumar Mazumdar, learned counsel, is appearing for the Union of India.

Counsel for the Union of India submits that the petitioner has preferred a revisional application against the judgment passed by the learned Additional District and Sessions Judge, Fast Track 2nd Court, Alipurduar who has affirmed the order of conviction passed by the learned Additional Chief Judicial Magistrate, Jalpaiguri. He submits that the Union of India has been made party but the State of West Bengal has not been made party.

Counsel for the petitioner submits that the case has been initiated by the Railway Authority and as such the petitioner has made the Railway Authority/Union of India as party and as such there is no necessity for impleading the State of West Bengal as party in the instant application.

Heard learned counsel for the respective parties.

Perused the materials on record.

It is found that before the learned Court of Additional Chief Magistrate, the State of West Bengal was represented and before the Ld. Sessions Judge, Fast Track, 2nd Court Alipurduar, the State of West Bengal was one of the respondents and as such the petitioner is given liberty to implead the State of West Bengal as the respondent no.2 in the instant application and to serve the copy of the revisional application along with all documents to the learned counsel for the State of West Bengal and to file affidavit of service on the next date fixed.

List the matter on 20th May, 2024 under the heading “Criminal Revision”.

It is found from the record that no LCR has been called for.

Let the Lower Court Record in connection with CR Case No. 25 of 2004 (State of West Bengal Vs. Noor Islam Ali & Anr.) be called for from the Court of the Additional

Chief Judicial Magistrate, Alipurduar by the returnable date.

(KRISHNA RAO, J.)