

IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL REVISIONAL JURISDICTION

CRR 103 of 2024

Amit Naskar & Ors.
Vs.
The State of West Bengal & Anr.

Mr. Shankar Prasad Dalopati
Ms. Madhushri Dutta
Mr. Avimannu Das

... For the petitioners.

Mr. Aditi Shankar Chakraborty
Mr. Abhijit Sarkar

... For the State.

1. Affidavit of service filed in Court today is taken on record.
2. None appears for the opposite party no.2.
3. Mr. Sarkar, learned advocate appearing on behalf of the State by placing before this Court the communication dated 29th November, 2024 would submit that service of the revisional application has been effected through the investigating officer on the de facto complainant/opposite party no.2 and the factum of such service would corroborate from the signature of opposite party no.2 appearing on such notice.
4. On a perusal of the aforesaid letter dated 29th November, 2024, although signature of the opposite party no.2 appears therein, the said letter is, however, silent as regards the date when the matter is scheduled to be taken up by this Court.
5. Having regard thereto, I am of the view that the aforesaid cannot constitute proper service.

6. Let a copy of the aforesaid communication dated 29th November, 2024 be taken on record.
7. Although, the petitioners claim to have served a further notice, I am of the view that in the light of the communication dated 29th November, 2024 as aforesaid, it is necessary to serve proper notice through the Officer-in-Charge Matigara Police Station on the opposite party no.2, intimating that the aforesaid matter shall be taken up for consideration before the next available Circuit Bench. The State is accordingly directed to take steps for effecting service on the opposite party no.2.
8. In view thereof, let this matter stand adjourned and be listed accordingly.
9. It is made clear that in the event, the opposite party no.2 remains unrepresented on the next date, the aforesaid application shall be taken up for consideration in her absence.

(Raja Basu Chowdhury, J.)