

**IN THE COURT OF SESSIONS JUDGE, GOALPARA**

**Criminal Revision (C.M.) Case No. 53 of 2015**

Present: **Sri T.K.Bhattacharjee, A.J.S**  
Sessions Judge,  
Goalpara.

Dhaneswar Das ..... Revisionist.

**-Versus-**

1. State of Assam

2. Shivani Das

3. Bhalobasha Chakraborty

4. Tofa Day

5. Pulen Das ..... O.P.s

**Appearance:**

For the Revisionist: Mr. O. F. Choudhury, Ld. Advocate.

For the O.P.: Mr. B.K. Das, Ld. P.P.

Date of hearing: 19-06-2019.

**Date of Judgment: 20-06-2019.**

## **JUDGMENT**

1. This revision has been preferred u/s 397/399 of the Cr.P.C. by the revisionist Dhaneswar Das against the order dated 24.09.15 that was passed by the Ld. CJM, Goalpara in connection with Goalpara P.S. Case No. 627/14 u/s 447/294/336/325/354/506/34 of the IPC vide which the Ld. Court below accepted the final report by rejecting the petition of the revisionist petitioner who was the complainant of the above mentioned case i.e. Goalpara P.S. case no. 627/2014 corresponding to G.R. Case no. 2195/2014.

2. The brief facts of the case is that the revisionist, as the informant, filed an ejahar before the OC, Goalpara P.S. dated 01-10-2014 alleging that Smt. Shivani Das, Bhalobasha Chakraborty and Tofa Dey trespassed into his house compound, hurled abuses, assaulted the informant and his daughter and thereafter, they left after threatening the informant party and a case was registered in this regard but subsequently, a final report was submitted by the IO and the Ld. Court below was pleased to accept the same despite objections from the informant.

3. Being highly aggrieved and dissatisfied with the aforesaid order dated 24.09.15 the present revision had been preferred on the grounds set forth in the memo of the revision. I have heard the arguments of the Ld. Counsel for the O.P. No. 1 only as the other parties remained absent and I have also perused the LCR that had been received in this context in order to determine the following:-

### **Point for determination:**

4. Whether the impugned order dated 24.09.15 passed by the Ld. Lower court suffers from any impropriety, illegality etc. and is sustainable in law or requires any interference by this Court?

**Discussion, Decision & Reasons:**

5. On perusal of the entire materials available before me and also the impugned order dated 24.09.15, it is found that before passing the impugned order the Ld. Lower Court was pleased to give an opportunity of hearing to both the parties and thereafter, perused the case record and also the case diary and found that only an altercation took place between the parties and thereafter, passed the impugned order after rejecting the objection petition filed by the informant and taking into consideration all the aspects, I am of the opinion that the impugned order dated 24.09.15 is not required to be interfered with by this court in any manner whatsoever.

6. In view of the above, the revision petition is found to be without any merit and accordingly the order dated 24.09.15 of the Ld. Trial court vide which the final report was accepted is hereby upheld. However, no costs are imposed.

7. In the result, this revision petition stands dismissed but without any costs.

8. Send back the LCR with a copy of this judgment to the Ld. Lower court for appropriate action.

Given under my hand and the seal of this court on this the 20<sup>th</sup> day of June/19.

**(T.K.Bhattacharjee)**  
Sessions Judge,  
Goalpara.

Dictated & corrected by me:

Sessions Judge,  
Goalpara.