

17-02-2022
Subha
Item-38
Ct -.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

(Via video-conference)

C.R.R 3269 of 2017

In Re: An application under Section 482 of the Code of Criminal Procedure.

In the matter of : Rajiv Chakraborty @ Rajiv Chakraborty
...Petitioner.

Mr. Imran Ali
Mrs. Debjani Sahu

..for the State.

The revisional application was preferred against the order dated 31.07.2017 passed by the learned Additional Sessions Judge, 16th Court, South 24 Parganas at Alipore in connection with ST No. 9(2)2015 arising out of Patuli P. S. Case No. 64 of 2013 dated 31.01.2013 under Sections 417/376(2)(a)(i)/313 IPC.

Mr. Imran Ali, learned advocate, who ordinarily appears on behalf of the State is directed to appear in this matter with his junior(Mrs. Debjani Sahu, learned advocate) to represent the State. Their appointments may be regularized by the concerned authorities in due course.

The grievance of the petitioner is that the prosecution was allowed to re-examine the witness no. 3 only on the point regarding the narration of findings to her parents-in-law.

Records of this revisional application reflect that a co-ordinate Bench of this court at the time of admission of the

revisional application on 22.09.2017 was pleased to observed that the procedure adopted by the trial court does not amount to filling up the lacunae in the prosecution case and the petitioner would be at liberty to cross-examine the witness after such re-examination on recall.

In view of the earlier observations and no information being furnished to this court regarding any change of circumstances as also whether till date the witness has been re-examined or not after recall, I am of the opinion that no interference is called for by this court at this belated stage.

Accordingly, the revisional application being CRR 3268 of 2017 is dismissed.

Interim order, if any, is, hereby, vacated.

All pending applications, if any, in connection with the revisional application, are consequently disposed of.

All concerned parties are to act in terms of a website copy of this order duly downloaded from the official website of this court.

(Tirthankar Ghosh, J.)

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