

05.08.2021  
Item no.16  
Ct. No.34  
CHC

**C.R.R. No.507 of 2012**

**(Via Video Conference)**

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

AND

In the matter of:-

Harsh Bhuwalka & ors.

... petitioners

The revisional application was preferred challenging the proceedings being Complaint Case No. C-16232/09, under Sections 448/385/389/120B of the Indian Penal Code, which was pending before the learned Metropolitan Magistrate, 8<sup>th</sup> Court, Calcutta.

Records reflect that the petitioners approached this Court at a stage when the process was issued against them by the learned Magistrate after considering the *prima facie* materials which were placed on record.

Having regard to the stage at which the petitioners approached this Court and the allegations made in the petition of complaint along with examination under Section 200 Cr.P.C. and the police report, I am of the opinion that the complainant must be permitted to adduce at least evidence before charge for arriving at a proper finding regarding the allegations.

Accordingly, C.R.R.507 of 2012 is dismissed.

Pending application, if any, is consequently disposed of.

Interim order, if any, is hereby vacated.

Learned Magistrate is directed to issue notice immediately to the respective parties and progress with the case.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

**(Tirthankar Ghosh, J.)**