

06.09.2021

Item No.112
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 665 of 2020
(Via Video Conference)

Anjali Bhattacharjee & Ors.
versus
State of West Bengal & Anr.

In Re: An Application under Section 482 read with Section 401 of the Code of Criminal Procedure.

Mr. Dipankar Aditya,
Mr. Pinaki Bhattacharyya,
Ms. Tina Biswas ... For the Petitioners.

Ms. Sreeparna Das ... For the State.

Mr. Koustav Bagchi,
Mr. Debayan Ghosh ... For the Opposite Party No.2.

Affidavit-of-service filed be kept with the record.

Mr. Aditya, learned advocate appearing for the petitioners submits that there has been undue delay in lodging the first information report and the allegations made against the petitioners along with the statement so recorded by the police authorities contain hardly any material asking the petitioners to face the trial.

Learned advocate appearing for the State opposes the contentions advanced by the petitioners.

Mr. Bagchi, learned advocate appears on behalf of the opposite party no.2.

I have taken into account the nature of allegations which have been levelled against the present petitioners who approached this Court. *Prima facie*, I am of the view that there are ingredients appearing in the materials collected by the investigating agency and having regard to the contentions

advanced by the petitioners, I am of the view that truth or falsity attached to such allegations cannot be interfered with by this Court summarily in an application under Section 482 of the Code of Criminal Procedure.

This Court has been informed that dates have been fixed for consideration of charge before the learned trial court. Having regard to the same, I direct that the petitioners would be at liberty to agitate the points canvassed in this revisional application before the learned trial court at the stage of consideration of the application under Section 239 of the Code of Criminal Procedure, provided such application is preferred at the instance of the petitioners.

With the aforesaid directions, CRR 665 of 2020 is disposed of.

Interim order, if any, is hereby vacated.

All pending connected applications, if any, are consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)