

Sr.16  
**14-09-2021**  
Subha.  
Court no. 34

**IN THE HIGH COURT AT CALCUTTA  
CRIMINAL REVISIONAL JURISDICTION  
APPELLATE SIDE  
( Via Video Conference )**

**CRR 673 of 2012**

In the matter of : Sandhir Kumar Agarwal & Anr. ....petitioners.

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

Mr. Arijit Ganguly  
Mr. Sandip Chakraborty

.....for the State.

None appears for the petitioners.

Mr. Arijit Ganguly, learned advocate appearing for the State and hands over a report before this court so prepared by the Officer-in-Charge, Alipore P. S. Let it be kept with the record.

The proceedings which have been challenged relate to the provisions of Section 401A of the Kolkata Municipal Act. The subject matter which relates to construction of additional floors without having requisite sanction plan from the Kolkata Municipal Corporation thereby endangering human life and safety.

Having regard to the nature of allegations made in the F. I. R and the charge-sheet, I am of the view that the

allegations/contentions are to be rebutted by way of cross-examination and which cannot be done without the trial being concluded.

Further, the petitioners approached this court at the stage on which the prosecution proposes to rely upon under Section 207 of the Code of Criminal Procedure in order to prove its case and prima facie it reflects that the some of the petitioners have been evading the court.

Having regard to the conduct of the petitioners as also the premature stage at which the petitioners approached this court, I am of the view that no interference can be called for by this court.

Accordingly, the present revisional application being CRR 673 of 2012 is dismissed.

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

Interim order, if any, is hereby vacated.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

**( Tirthankar Ghosh, J. )**