

CRR 2202 of 2018

Rabiul Badsha Khan
Vs.
The State of West Bengal

Mr. Pratip Kumar Chatterjee
Mr. Soumya Mazumder
.....For the Petitioner
Mr. S. G. Mukherjee, Ld. P. P.
Mr. Arijit Ganguly
.....For the State

The learned advocate for the petitioner challenges the proceedings arising out of Kandi P. S. Case No.149/16 dt. 17.02.16 under Sections 353/354/186/333/332/427/506/34 of the Indian Penal Code and Section 3, P. D. P. P. Act.

The learned advocate for the petitioner further submits that although the petitioner was not named in the F. I. R. but the Investigating Officer after completion of investigation submitted charge sheet against the petitioner. It is the contention of the learned advocate for the petitioner that the petitioner was not available in the office and was at a different place for other pre-occupations associated with his service.

Mr. Arijit Ganguly, learned advocate appears on behalf of the State.

I have taken into account the submissions of the learned advocate appearing for the petitioner and is of the opinion that the same is plea of alibi and cannot be a ground for quashing of the proceedings at the initial stage of it.

Having regard to the above, I am of the opinion that the

contentions so advanced cannot be entertained at this stage. As such the revisional application is dismissed. However, the petitioner would be at liberty to agitate the points canvassed in the revisional application at the stage of consideration of charge before the learned trial court.

With the aforesaid observations CRR 2202 of 2018 is disposed of.

(Tirthankar Ghosh, J.)