

CRR 2831 of 2007

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

And

In Re: - Sushanta Sarkar & Ors.

Petitioners

Mr. Arijit Ganguly

Mr. Sanjib Kumar Dan

For the State

None appears on behalf of the petitioners or the State.

As such Mr. Arijit Ganguly, learned advocate and Mr. Sanjib Kumar Dan, learned advocate who ordinarily appear for the State are directed to appear on behalf of the State and assist the court. Their appointments may be regularized by the learned Public Prosecutor, High Court, Calcutta.

The present revisional application has been preferred challenging the proceedings being G. R. Case No.563 of 2006 arising out of Chakdah Police Station Case No. 262 of 2006 dated 07.07.2006 under Section 498A/34 of the Indian Penal Code.

I find from the records of the revisional application that the petitioners approached this court immediately after submission of the charge sheet. The revisional application do not contain the documents under Section 207 of the Code of Criminal Procedure and I find from the certified copy of the charge sheet which has been enclosed that the petitioners were not available in course of investigation and as such harsher process of law was prayed for by the Investigating Officer of the

case before the court of learned Magistrate.

The records also reflect that on 13.08.2007 there was a direction upon the learned advocate appearing for the petitioners to effect service upon the office of the learned Public Prosecutor, High Court, Calcutta. In the meantime, more than 13 years have elapsed and there are no materials before this court to consider so far as the present stage of the proceedings are concerned.

Having regard to the contentions advanced in the revisional application and on perusal of the charge sheet, I am of the view that the revisional application is premature and as such no interference is called for.

Accordingly, CRR 2831 of 2007 is dismissed without any order as to costs.

Interim order, if any, is hereby vacated.

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

(Tirthankar Ghosh, J.)