

CRR 3424 of 2012
(Via video conference)

In re : An application under Section 482 of the Code of Criminal Procedure, 1973.

In the matter of : Md. Sahabuddin

.....petitioner

Mr. Tapan Datta Gupta
Mr. Arnab Roy
Mr. Parvej Anam....for the petitioner

Mr. Bidyut Kr. Roy
Mr. Monisha Sharma...for the State

The revisional application was preferred challenging the proceedings arising out of Bashirhat Police Station case no. 134 of 2011 dated 25.3.2011 under Sections 143/149/448/427/120B of the Indian Penal Code.

Mr. Dutta Gupta, learned advocate appearing for the petitioner submits that the allegations made in the FIR and charge-sheet prima facie fails to make out any offence, so far as the present petitioner is concerned.

I have perused the allegations made in the FIR as also the charge-sheet.

As none appears on behalf of the State, Mr. Bidyut Kr. Roy was directed to appear on behalf of the State. His assistance was required for proper adjudication of the case. His appointment may be regularised by the concerned authorities.

On appreciation of the materials available in the FIR and charge-sheet and the stage at which the petitioner approached this court, I am of the view that the same is at a prematured

stage, as the documents on which the prosecution intends to rely to prove its case under Section 207 of the Code of Criminal Procedure were either not supplied to the accused or in the alternative, the same has not been relied upon in this revisional application.

Having regard to the same, I am of the view that no interference is called for at this belated stage. However, the petitioner would be at liberty to agitate the points canvassed in the revisional application at the appropriate stage of the proceedings.

With the aforesaid observation, CRR 3424 of 2012 is disposed of.

Pending application, if any, is consequently disposed of.

Interim order, if any, is hereby vacated.

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

(Tirthankar Ghosh, J.)