

CRR 3427 of 2012
(Via video conference)

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

In the matter of : Pratap Chowdhury & ors. s
.....petitioners

Mr. Sachindranath Misra ...for the Respondent no. 2

None appears for the petitioner. Learned advocate appears on behalf of the opposite party no. 2. At his instance, the complaint was initiated before the jurisdictional court.

I have perused the allegations made in the complaint and the nature of documents which have been relied upon by the present petitioner to rebut the allegations made therein.

Having regard to the nature of allegations which have been made by the complaint that the Magistrate has prima facie arrived at a conclusion for issuance of process, I am of the view that opportunity should be brought to the complainant to adduce evidence before charge before the learned trial court. The petitioners would be at liberty to agitate the points canvassed in the present revisional application at the stage of consideration of charge before the learned trial court.

No interference is called for at this stage.

Accordingly, CRR 3427 of 2012 is dismissed.

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.)