

11-04-2022
Subha
Item no.39
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

C.R.R 173 of 2013

In the matter of : **Sri Susanta Mukherjee @ Bappa**
.....petitioner.

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

Mr. Imran Ali
Mrs. Debjani Sahu
.....for the State.

The subject matter of challenge relate to an order dated
08.10.2012 passed by the learned Judicial Magistrate, 4th Court,
Howrah in connection with Liluah P. S. Case No. 131 of 2009 dated
20.06.2009 under Sections 406/420 of the Indian Penal Code.

Mr. Imran Ali, learned advocate appearing on behalf of the
State draws the attention of this court to the order dated 08.10.2012
wherein the learned trial court was pleased to frame charge under
Sections 406/420 of the Indian Penal Code.

I have perused the contention advanced in the revisional
application. I do not find that any other enclosures except the FIR or
the chargesheet has been enclosed, none of the copies under Section
207 of the Code of Criminal Procedure relied upon by the prosecution
to prove its case has been relied. So far as the contentions agitated in
the revisional application, I am of the opinion that the same are

question of fact which are to be adjudicated in the course of the trial and cannot be gone into at this stage in a subjective manner. Thus, no interference is called for by this court.

Accordingly, the revisional application being CRR 173 of 2013 is dismissed.

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

Interim order, if any, is hereby vacated.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]