

11.04.2022

Item No.43
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 209 of 2013

**Santanu Sarkar
versus
The State of West Bengal & Anr.**

In Re: An Application under Section 482 of the Code of Criminal Procedure.

Ms. Anasuya Sinha,
Mr. Pinak Kumar Mitra ... For the State.

The subject matter of challenge in this revisional application relates to Siliguri Police Station Case No. 885 of 2011 dated 18.12.2011 under Sections 493/376/313 of the Indian Penal Code.

Records of this case reflect that the case was committed to the court of sessions and the petitioner has challenged the proceedings only enclosing the letter of complaint treated as FIR and the order-sheets of the learned sessions court.

As none appears on behalf of the State, Ms. Anasuya Sinha, learned advocate, who ordinarily appears for the State, is directed to appear in this matter and represent the State. Her appointment may be regularized by the concerned authorities.

On perusal of the contentions advanced in this revisional application, I find that the same are issues of facts. Further the documents enclosed do not incorporate the prosecution papers so relied upon under Section 207 of the Code of Criminal Procedure. Having regard to the same, I

am of the opinion that this revisional application cannot be adjudicated on the issues of facts narrated or oral averments on oath. *Prima facie*, on the letter of complaint, case has been made out for continuance of the trial. As such, no interference is required.

Accordingly, the revisional application being CRR 209 of 2013 is dismissed.

Interim order, if any, is hereby vacated.

All pending connected applications, if any, are consequently disposed of.

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

(Tirthankar Ghosh, J.)