

08.12.2022

Item No.17
Ct.No.34
dc.

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

C.R.R. 469 of 2021

**Sk. Idris alias Idris Sk & Ors.
versus
The State of West Bengal & Anr.**

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

Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan ... For the State.

The present revisional application was preferred with a prayer for quashing of the proceeding being G.R. Case No. 593 of 2018 arising out of Budbud Police Station Case No. 47 dated 20.04.2018 under Sections 498A/302 of the Indian Penal Code.

The petitioners approached this Court at a stage when the report under Section 173 of the Code of Criminal Procedure was yet to be filed before the learned Additional Chief Judicial magistrate, Durgapur.

Mr. Arijit Ganguly, learned advocate, who ordinarily appears for the State, is directed to represent the State. His appearance may be regularised by the concerned authorities.

I have perused the contentions advanced in this revisional application which relate to a plea of alibi and counter statement of facts regarding FIR wherein charges are under Section 302 of the Indian Penal Code. The petitioners contend that the same was a result of an accident. Having regard to the stage of the case, I am of the opinion that this

Court while exercising its jurisdiction under Section 482 of the Code of Criminal Procedure will not scrutinise and assess regarding the correctness of the content of the FIR and/or the alternative plea taken up by the accused/petitioners. No interference is called for in the present revisional application.

Accordingly, the revisional application being CRR 469 of 2021 is dismissed.

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.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)