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2022
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C.R.R. No.283 of 2013

In Re: An application under Section 482 of the Code of Criminal
Procedure, 1973;

Sajahan Khan
Versus
The State of West Bengal

Mr. Md. Anwar Hossain,
Ms. Debjani Sahu.
...for the State.

The subject matter of challenge in the revisional application relates to Baruipur Police Station Case No.1293 of 2012 dated 16.12.2012 under Sections 323/324/379/504/506/120B of the Indian Penal Code.

The petitioner approached this Court at a stage when the learned Magistrate was pleased to direct in an application under Section 156(3) of the Code of Criminal Procedure to commence investigation by the Officer-in-Charge of Baruipur Police Station and consequently the aforesaid case was registered.

As none appears on behalf of the State, Mr. Anwar Hossain, learned advocate, who ordinarily appears on behalf of the State, is directed to represent the State. His appointment may be regularised by the concerned authorities.

Having regard to the fact that the issues canvassed in the revisional application relate to question of facts to rebut the application under Section 156(3) of the Code of Criminal Procedure,

I am of the opinion that the same cannot be adjudicated at this stage until and unless the investigating authority arrive at their conclusion regarding the truth or falsity of the complaint.

Thus, CRR 283 of 2013 is dismissed.

Pending application, if any, is consequently disposed.

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.)