

D/L2
April 5,
2022
Bpg.

C.R.R. No.676 of 2020
With
CRAN 1 of 2022

In Re: An application under Article 227 read with Sections 482 and 401
of the Code of Criminal Procedure;

Tanmoy Nath
Versus
The State of West Bengal & Anr.

Mr. Arka Pratim Chowdhury,
Mr. Nurnobi Seikh.
...for the petitioner.

Mr. Sunny Nandi,
Mr. Tamal Singha Roy.
...for the opposite party no.2.

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

Mr. Arijit Ganguly, learned advocate appearing for the
State has produced the case diary which includes the medical
documents of MR Bangur Hospital, Calcutta wherein there are
reference to two fractures.

The case is under Section 326 of the Indian Penal Code
and the charge-sheet is also filed under Section 326 of the Indian
Penal Code.

A joint compromise petition has been filed, but having
regard to the nature of the injury which is available in the case
diary, I am not inclined to entertain the joint compromise petition.
However, the petitioner would be at liberty to approach this Court
with similar prayer after the evidence of the victim and the mother
of the victim is over.

The learned trial court is directed to take steps for framing of charge on the next date so fixed or within a week thereafter after compliance with the provisions of Section 207 of the Code of Criminal Procedure.

The learned trial court would fix date for evidence of the victim and the mother of the victim within a month from the date of framing of the charge. No interference is called for at this stage so far as the present application is concerned.

Accordingly, CRAN 1 of 2022 along with CRR 676 of 2020 is disposed of.

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.)