

15-12-2022
Subha
Item no.14
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 548 of 2021

Md. Younus @ Mohammad Yunus
-versus-
The State of West Bengal & Anr.

Re : An application under Section 482 and 398/401 of the Cr.P.C.

Mr. Bidyut Kumar Roy
Ms. Debjani Sahu
.....for the State.

The present revisional application has been preferred challenging the Cossipore Police Station Case No. 222 dated 23.12.2020 under Sections 279/304(A) of the Indian Penal Code as also the orders passed therein.

The petitioner by enclosing the medical papers and his part of the story has prayed for quashing of the proceedings wherein the investigation was under progress.

As none appeared on behalf of the State, Mr. Bidyut Kumar Roy, who ordinarily appears on behalf of the State is directed to appear before this court to represent the State. The appointment of Mr. Bidyut Kumar Roy, learned advocate may be regularized by the concerned Authority in due course.

Having regard to the foundation on which the first information report has been challenged in connection with Cossipore P. S. Case No. 222 of 2020 dated 23.12.2020, I am of the opinion that the same relates to truth or falsity in respect of the FIR which has

been registered. The same cannot be the subject matter of adjudication at the present stage of the proceeding. The petitioner would be at liberty to canvass such points at the appropriate stage of the proceedings. No interference is called for at this belated stage.

Accordingly, the present revisional application being CRR 548 of 2021 is disposed of.

Pending applications, if any, are consequently disposed of.

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]