

16-12-2022  
Subha  
Item no.12  
Ct no.34

IN THE HIGH COURT AT CALCUTTA  
Criminal Revisional Jurisdiction

CRR 559 of 2021

**Manasa Kumar Das & Ors.**  
-versus-  
**The State of West Bengal & Anr.**

**Re :** An application under Section 401 read with Section 482 of the Cr.P.C.

Mr. Arijit Ganguly  
Mr. Arani Bhattacharya  
.....for the State.

The present revisional application has been preferred challenging proceedings Mohanpur P. S. Case No. 122 of 2020 dated 26.10.2020 under Sections 302/201/34 of the Indian Penal Code.

Records of this revisional application reflect that the petitioners were named in the 1st FIR and the petitioners approached this court at a stage when the investigation of the case was in progress.

The factum which has been narrated over here in the revisional application relates to a set of counter-facts, which according to the petitioners, do nullify the First Information Report investigated by the police authorities.

As none appeared on behalf of the State, Mr. Arijit Ganguly, who ordinarily appears on behalf of the state was directed to represent the State. His appointment may be regularized by the concerned Authorities in due course.

I have considered the contentions advanced in the revisional application.

The plea of alibi and/or a different fact or factual circumstances are to be appreciated in course of the trial of the case or the same should be placed before the Investigating Officer for unearthing the truth. This court while exercising jurisdiction under Section 482 of the Code of Criminal Procedure will not enter into the domain of truth or falsity of the allegations.

As such, no interference is called for.

Accordingly, the revisional application being CRR 559 of 2021 is dismissed.

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]