

D/L55
April 11,
2022
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C.R.R. No.358 of 2013

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

Abdul Hakim Mia
Versus
State of West Bengal & Anr.

Mr. Arijit Ganguly,
Ms. Manisha Sharma.
...for the State.

The subject matter of challenge in the present revisional application relates to Sitai Police Station Case No.46/04 dated 8.9.2004 under Sections 498A/406 of the Indian Penal Code.

The revisional application was preferred immediately after the investigation was concluded by the investigating officer of the case and charge-sheet was submitted before the jurisdictional court. None of the documents under Section 207 of the Code of Criminal Procedure on which the prosecution has made its foundation of the charge-sheet has been relied upon.

As none appears on behalf of the State, Ms. Manisha Sharma, learned advocate, who ordinarily appears on behalf of the State, is directed to represent the State. Her appointment may be regularised by the concerned authorities.

The contentions advanced in the revisional application relate to question of facts regarding the truth or falsity of the allegations which this Court is not empowered to adjudicate in the

initial stage when the learned Magistrate has only taken cognizance and the said points are to be agitated in course of the trial, I am of the opinion that no interference is called for.

Accordingly, CRR 358 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.)