

D/L 23
February 4,
2022
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C.R.R. No.587 of 2019
(Via Video Conference)

In Re: An application under Sections 397/401 read with Section 482 of
the Code of Criminal Procedure, 1973;

Swapna Mukherjee & Anr.
Versus
The State of West Bengal & Anr.

Mr. Pratim Das Gupta.
...for the petitioners.

Ms. Sujata Das.
...for the State.

Mr. Pratim Das Gupta, learned advocate, who earlier appeared on behalf of the petitioners, submits that he has retired from the litigation as has been instructed by his advocate-on-record.

This revisional application has been running in the list for more than two weeks and till date no efforts were taken by any of the advocates either for the petitioners or for the State.

Accordingly, Ms. Sujata Das, learned advocate, who ordinarily appears on behalf of the State, is directed to appear in this matter. Her appearance may be regularised by the concerned authority.

Records reflect that the petitioners approached this court when the charge-sheet was submitted by the Investigating Agency on completion of investigation under the provisions of Sections 289/323/504/506/34 of the Indian Penal Code. I do not find in the records that the statement under Section 161 of the Code of

Criminal Procedure or the documents which the prosecution has relied upon under Section 207 of the Code of Criminal Procedure are enclosed for the court to rely upon and to arrive at a proper conclusion. Considering the stage at which the petitioners approached this Court, I am of the opinion that the same is premature. No interference is called for at this stage by this Court.

The petitioners would be at liberty to agitate the points canvassed in the revisional application at the appropriate stage of the proceedings.

Accordingly, CRR 587 of 2019 is disposed of.

Pending application, if any, is consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)