

17-06-2022
Subha
Item no.38
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 930 of 2022

In the matter of : **Mohini Khandelwal**petitioner.

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

Mr. Sabir Ahmed
Mr. Mujubar Ali Naskar
Mr. Shraman Sarkar
Mr. Apan Saha

.....for the petitioner.

Mr. Anirban Mitra
Mr. Amit Halder
Mr. Akash Ghosh

....for the O. P. No.2.

Mr. Saibal Bapuli
Mr. Bibaswan Bhattacharya

.....for the State.

The foundation of the case is on allegations of a medical prescription being forged. In course of investigation, Investigating Agency has collected the documents and also recorded the statement of the doctor who prepared the said prescription. According to the doctor, a part of the same was written by her and there are insertions in respect of the other part. A part of the prescription which was inserted was used by a party for initiation of a medical case.

On completion of investigation, police authorities have submitted chargesheet. I am of the opinion that prima facie a case has been made out. Regarding the applicability of the sections of the

Indian Penal Code, I am of the opinion that it is for the trial court to decide which of the sections according to the materials collected by the Investigating Agency would be the subject matter of charges which are to be proved by the prosecution.

As no case for interference has been made out, the revisional application being CRR 930 of 2022 is dismissed.

The case diary be returned to Mr. Bibaswan Bhattacharya, learned advocate appearing for the State.

All pending applications, if any, in connection with the revisional application, 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]