

D/L 20
April 27,
2022
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C.R.R. No.627 of 2018
With
CRAN 1 of 2022

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

Km. Mahua Mondal alias Tusi Mondal & Anr.
Versus
The State of West Bengal & Anr.

Mr. Amol Kakone,
Mr. Arghya Kamal Das.
...for the petitioners.

Mr. Binay Panda,
Mr. Subham Bhakat.
...for the State.

The present revisional application has been preferred
challenging the proceedings of Bidhannagar (East) Police Station
Case No.13/2018 under Sections 363/365/373/120B of the Indian
Penal Code.

The revisional application was earlier dismissed for
default. An application for restoration being CRAN 1 of 2022 is
taken up. Learned advocate for the petitioners has assigned the
reasons in paragraphs 13, 14 and 17 of the restoration application.
The grounds so stated are found to be just and sufficient.

Accordingly, CRAN 1 of 2022 is allowed.

Thus, the order passed on 07.09.2021 by a co-ordinate
Bench of this Court is hereby recalled. The revisional application is
restored to its original file and number.

In Re: CRR 627 of 2018

The revisional application is taken up for hearing.

Learned advocate appearing for the petitioners submits that the foundation of the case is on misconception of facts and to that effect the documents enclosed along with the revisional application will itself be sufficient.

Mr. Binay Panda, learned advocate appearing for the State submits that further investigation is still in progress and statement of some of the victims/witnesses are still being recorded under Section 164 of the Code of Criminal Procedure.

Having regard to the stage of the case and the further investigation which is progressing, I am not inclined to interfere with the process of investigation at this stage.

Accordingly, the revisional application being CRR being CRR 627 of 2018 is dismissed.

The petitioners would be at liberty to approach this Court, if so advised after the supplementary charge-sheet is submitted and the documents under Section 207 of the Code of Criminal Procedure are supplied to the petitioners.

Pending application, if any, is consequently disposed of.

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.)

