

27.09.2022
S/L No.64
KS

C.R.R. 677 of 2021
Sri Tapan Kumar Roy & Anr.
-Vs.-
The State of West Bengal & Anr.

Mr. Kamalesh Chandra Saha
Ms. Payel Mitra
..... For the Petitioners
Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan
.....For the State

Learned advocate appearing for the petitioner challenges the continuance of Nimta Police Station Case No.677 of 2020 dated 02.11.2020 under Sections 447/ 323/ 506/ 34 of the Indian Penal Code. Report has been submitted by the State reflecting that during pendency of the revisional application charge-sheet has been submitted before the Jurisdictional Court and the case has been transferred to the learned Judicial Magistrate, 3rd Court, Barrackpore. The next date has been fixed before the Learned Magistrate on 5th January, 2023 for appearance. Report so submitted be kept with the record.

Having regard to the nature of the allegations and the charge-sheet being already been submitted and the petitioners were available before the Court, I direct that in case the learned lawyer appears on behalf of the petitioner and files application under Sections 205/ 317 of the Code of Criminal Procedure before the learned Magistrate with an undertaking that they would not be prejudiced if the proceedings

progress in their absence as also the fact that they would physically be present as and when called for by the Court, the learned Magistrate would allow them to be represented through the learned advocate in the day to day proceedings. As charge-sheet has already been submitted, petitioners are granted liberty to canvass the points raised in this revisional application at the stage of consideration of charges upon receipt of the documents under Section 207 of the Code of Criminal Procedure.

With the aforesaid observations, C.R.R. 677 of 2021 is disposed of.

Pending applications, if any, are consequently disposed of.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Tirthankar Ghosh, J.)