

D/L39
May 12,
2022
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C.R.R. No.752 of 2018

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

Arun Das & Ors.
Versus
The State of West Bengal & Anr.

Mr. Ayan Bhattacharjee,
Mr. Soumyajit Ghosh,
Mr. Aditya Ratan Tiwary,
Mr. Amitabrata Hait,
Mr. Suman Majumder.
...for the petitioners.

Mr. Anwar Hossain,
Ms. Debjani Sahu.
...for the State.

Mr. Bhattacharya, learned advocate appearing for the petitioners submits that Kotwali Police Station Case No.404 of 2014 under Sections 341/323/376/511/506/379/34 of the Indian Penal Code was registered for investigation and subsequently after completion of investigation, charge-sheet was submitted before the jurisdictional court. Learned advocate raises the question regarding the implication of all the four petitioners including the lady who has been implicated in the alleged offence.

Learned advocate for the State has produced the case diary.

I have considered the statement of the victim under Section 164 of the Code of Criminal Procedure as well as under Section 161 of the Code of Criminal Procedure. The contentions of the petitioners perhaps may not be brushed away regarding the

applicability of each of the sections in respect of each of the accused persons. However, having regard to the stage of the case, I am not inclined to segregate the sections and its applicability in respect of the accused persons. The petitioners would be at liberty to canvass the points agitated in the present revisional application at the stage of consideration of charge before the learned trial court.

With the aforesaid observations, CRR 752 of 2018 is disposed of.

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.)