

14.06.2022

Item No.11
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

**C.R.R. 702 of 2021
with
CRAN 1 of 2021**

**Sagar Mishra
versus
The State of West Bengal & Anr.**

In Re: An Application under Section 482 of the Code of Criminal Procedure, 1973.

Mr. Jayanta Narayan Chatterjee,
Sk. Sahjahan Ali,
Ms. Nandini Chatterjee,
Ms. Jayashree Patra,
Ms. Sreeparna Ghosh ... For the Petitioner.

Md. Anwar Hossain,
Ms. Sreyashee Biswas ... For the State.

Mr. K. C. Das,
Mr. Palash Ch. Majhi ... For the Opposite Party No.2.

Mr. Chatterjee, learned advocate appearing for the petitioner submits that there has been change of circumstances.

Learned advocate appearing for the opposite party no.2 does not dispute such proposition.

However, the prayer so advanced at this stage cannot be acceded to. In view of the submissions made at the Bar, I direct that the learned Magistrate in seisin of the matter would commit the proceedings within a period of one month from the date of communication of this order. Once the case is committed, all steps must be taken by the trial court so that charge is framed within fifteen days of commitment of the case. Date should be fixed for examination of the

victim/CSW-1 within a period of fifteen days thereafter and the same shall continue till the cross-examination is completed.

The petitioner would be at liberty to approach this court after the evidence of the victim/CSW-1 is over.

No interference is called for at this stage by this Court.

The learned Magistrate and the learned Sessions Judge would proceed as directed above.

With the aforesaid observations, the revisional application being CRR 702 of 2021 along with CRAN 1 of 2021 is disposed of.

Interim order, if any, is hereby vacated.

Other pending connected applications, if any, are consequently disposed of.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)