

08-04-2022
Subha
Item no.27
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

C.R.R 812 of 2018

In the matter of : **Dipankar Chakraborty**

.....petitioner.

In Re : An application under Section 482 read with Section 401 of the Code of Criminal Procedure.

Ms. Minoti Gomes
Ms. Manika Sarkar

....for the petitioner.

Mr. Arijit Ganguly
Ms. Debjani Sahu

....for the State.

The present revisional application has been preferred challenging the quashing of the Usthi Police Station Case No. 156 dated 01/05/2017. Record of this revisional application reflects that on completion of investigation, chargesheet was submitted on or about July, 2017 under Sections 341/323/506 of the Indian Penal Code.

Mr. Ganguly, learned advocate appearing on behalf of the State has submitted a report. Let the report be kept with the record. Report reflects that on 2nd December, 2022 date has been fixed by the learned Judicial Magistrate, 1st Class, 3rd Court, Diamond Harbour for consideration of charges. Petitioner approached this court at a stage when the chargesheet was submitted and the documents on which the prosecution intended to rely upon were not applied to him.

Having regard to the stage at which the petitioners approached this court, I am of the opinion that the application was

premature. As such, the petitioners would be at liberty to canvass the points addressed in this revisional application before the trial court at the stage of consideration of charges. In case any application under Section 239 of the Code of Criminal Procedure is preferred at the instance of the present petitioners, learned court would dispose of the same in accordance with law. No interference is called for at this stage.

With the aforesaid observations, the present revisional application being CRR 812 of 2018 is disposed of.

All pending applications, if any, in connection with the revisional application, are consequently disposed of.

Interim order, if any, is hereby vacated.

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]