

20-09-2022
Subha
Item no.73

Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1269 of 2021

Khalid Raja Khan & Anr.
-versus-
The State of West Bengal & Anr.

Mr. Ramashish Mukherjee
Sk. Nezamuddin
.....for the petitioners.

Mrs. Anasuya Sinha
Ms. Janaki Saha
...for the State.

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

Affidavit of service filed by the petitioners be kept with the record.

Learned advocate appearing for the petitioners submits that the chargesheet has been submitted under Section 498A/313/307/342/406/506/34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

According to the learned advocate there are no materials to support the prosecution case under Sections 313/307 of the Indian Penal Code so as to commit the present case to the court of sessions.

I have perused the documents enclosed in the revisional application and I find that none of the documents under Section 207 of the Code of Criminal Procedure on which the prosecution intends to rely has been enclosed by the petitioners. .

Mrs. Sinha, learned advocate appears on behalf of the State.

Having regard to the stage at which the petitioners approached this court, I

am of the opinion that the same is premature. The petitioners would be at liberty to agitate the points canvassed in the revisional application at the appropriate stage before the trial court after receipt of the documents on which the prosecution intends to rely for proving its case (under section 207 of the Code of Criminal Procedure).

No interference is called for at this stage.

With the aforesaid observations, the revisional application being CRR 1269 of 2021 is disposed of.

Pending applications, if any, 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]