

D/L28
15.11.2022
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C.R.R.1370 of 2021

In Re: An application under Section 482 of the Code of Criminal Procedure, 1973;

Uttam Mondal
Versus
The State of West Bengal and another

Ms. Diksha Ghosh.
...for the petitioner.

Mr. Rudradipta Nandy,
Mr. Ranabir Roy Chowdhury,
Ms. Manisha Sharma.
...for the State.

Ms. Sayanti Santra.
...for the opposite party no.2.

Supplementary affidavit and affidavit-of-service so filed
by the petitioner be kept with the record.

The subject matter of the revisional application relates to
Bishnupur Police Station Case No.235 of 2020 under Sections
354D/506/509 of the Indian Penal Code which is pending before
the learned ACJM, Alipore.

Learned advocate appearing for the petitioner submits
that the petitioner is innocent of the charges and has been falsely
implicated in the instant case. Additionally, she submits that the
complainant is wrecking her vengeance on the present petitioner
and foisting one after another cases for harassing him.

Mr. Roy Chowdhury, learned advocate appearing for the
State submits that the investigation of the case has already been
concluded and prima facie a case has been made out for

continuation of a trial.

Learned advocate appearing on behalf of the private opposite party no.2 submits that the complainant was harassed and for that number of general diary entries have been made at the Police Station.

Be that as it may, I have perused the enquiries made in the present revisional application and it has been informed that the present petitioner is yet to receive the documents under Section 207 of the Code of Criminal Procedure from the learned trial court.

Having regard to the same, I direct the petitioner after receipt of the documents under Section 207 of the Code of Criminal Procedure would be at liberty, if so advised, to prefer an application under Section 239 of the Code of Criminal Procedure and the learned Magistrate would dispose of the same in accordance with law prior to framing of charges.

With the aforesaid observations, CRR 1370 of 2021 is disposed of.

Pending 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 of all requisite formalities.

(Tirthankar Ghosh, J.)

