

03-08-2022
Subha
Item no.69

Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 2007 of 2009
with
IA No. CRAN 4 of 2010(Old No. CRAN 2367 of 2010)

Robert Lakra @ Robert Oraon
-versus-
The State of West Bengal & Anr.

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

Mr. Santanu Talukder
.....for the Petitioner.

This revisional application has been preferred challenging the quashing of the proceedings of C. R. Case No. 145 of 1999 under Section 420 of the Indian Penal Code which was pending before the learned Additional Chief Judicial Magistrate, Siliguri.

None appears on behalf of the private opposite party/complainant.

Having regard to the points canvassed in the revisional application, I am of the opinion that the same are on the foundation of mixed question of facts and law and cannot be adjudicated in an application under Section 482 of the Code of Criminal Procedure.

Petitioner is granted liberty to agitate the points canvassed in the revisional application at the appropriate stage of the trial, if the proceedings are still pending.

With the aforesaid observations, the revisional application being CRR 2007 of 2009 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]