

16.11.2022
S/L No.30
KS

C.R.R.1803 of 2021
Sahabuddin Mollick @ Sahabuddin Alam Mullick
-Vs.-
The State of West Bengal & Anr.

Mr. Koustav Lal Mukherjee
Mr. S. Mondal

..... For the Petitioner

Mr. Madhusudan Sur
Mr. Dipankar Paramanick

.....For the State

Affidavit of service so filed be kept with the record.

Mr. Sarthak Mondal, learned advocate appearing for the petitioner submits that the continuance of the proceedings arising out of Khanakul Police Station Case No.224 of 2019 dated 21.08.2019 is an abuse of the process in view of the F.I.R. being an afterthought complaint which was registered after 9 days of the incident. Learned advocate further argues that the photographs which were made viral related to incidents which were six months earlier to the incident but, the same complaint was viral on 12th August, 2019. Learned advocate submits that the present case has been instituted for wrecking vengeance upon the present petitioner. The complainant lady was major and was able to understand the consequences. Purposely she had distorted facts for implicating the present petitioner with the *mala fide* intention of settling scores. Learned advocate prays for quashing the proceedings as the petitioner has been victimized.

Mr. Sur, learned advocate appearing for the State produces the Case Diary and submits that the present case was initiated challenging the First

Information Report, however, the charge-sheet in connection with the instant case has already been submitted before the jurisdictional Court.

I have considered the submissions advanced by the learned advocate appearing for the petitioner as well as the State.

Having regard to the fact that there has been complete change of circumstances, since the present revisional application was preferred and the issues so canvassed relate to question of facts. No interference, at this stage, is warranted. Petitioner is granted liberty to canvass such points which are advanced in the present revisional application at the stage of consideration of charges before the jurisdictional Court.

With the aforesaid observation, C.R.R.1803 of 2021 is disposed of.

Pending applications, if any, are consequently disposed of.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Tirthankar Ghosh, J.)