

Item No.42
Ct.No.34
dc.

IN THE HIGH COURT AT CALCUTTA CRIMINAL REVISIONAL JURISDICTION

C.R.R. 2029 of 2018
(Via Video Conference)

Deb Kumar Halder & Anr.
versus
State of West Bengal

In Re: An Application under Sections 397/401 read with Section 482 of the Code of Criminal Procedure, 1973 filed for challenging the order dated 04.07.2018 passed by the learned Additional District & Sessions Judge, 1st Court, Kakdwip, South 24-Parganas in connection with S.T. No. 03 (02) 08.

Mr. Arijit Ganguly,
Ms. Sonali Das ... For the State.

As none appears on behalf of the petitioners or for the State, Mr. Arijit Ganguly, learned advocate, who ordinarily appears for the State, is directed to appear in this matter and represent the State. His appointment may be regularized by the concerned authorities.

The present revisional application has been preferred challenging the order dated 04.07.2018 passed by the learned Additional District & Sessions Judge, 1st Court, Kakdwip, South 24-Parganas in connection with S.T. No. 03 (02) 08 wherein the learned court was pleased to reject the prayer under Section 311 of the Code of Criminal Procedure.

I have considered the order dated 04.07.2018 passed by the learned trial court wherein the learned trial court has categorically observed that the questions which have been incorporated in the application under Section 311 of the Code of Criminal Procedure are merely formal in nature and the

absence of the same in the record will not materially affect the defence case. In view of the conclusion arrived at by the learned sessions court/trial court while assessing the application under Section 311 of the Code of Criminal Procedure, I am of the opinion that the same is properly reasoned and as such, does not call for any interference by this Court.

Accordingly, the revisional application being CRR 2029 of 2018 is dismissed.

All pending connected 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.

(Tirthankar Ghosh, J.)