

18.02.2022

Item No.8
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

**C.R.R. 2360 of 2018
with
CRAN 1 of 2019 (Old No. CRAN 1373 of 2019)
(Via Video Conference)**

**Dipak Kumar Das
versus
The State of West Bengal & Anr.**

In Re: An Application under Section 401 read with Section 482 of the Code of Criminal Procedure filed in connection with proceedings being G.R. Case No. 1044 of 2016 arising out of Berhampore Police Station Case No. 215 of 2016 dated 09.03.2016 under Sections 448/497/506/380/34 of the Indian Penal Code pending before the learned Judicial Magistrate, 2nd Court, Berhampore, Murshidabad.

Mr. Bitasok Banerjee,
Mr. Ranadeb Sengupta ... For the State.

This revisional application was preferred challenging the proceedings arising out of Berhampore Police Station Case No. 215 of 2016 dated 09.03.2016. Records of this revisional application reflect that the petitioner approached this Court at a stage when the charge-sheet was submitted. Earlier by an order dated 11.02.2022, a report was called for.

Report of Inspector-in-Charge, Berhampore Police Station dated 14.02.2022 submitted by the learned advocate for the State be kept on record.

The said report reflects that next date has been fixed on 02.07.2022 for evidence. Having regard to the fact that none of the documents, relied upon by the prosecution under Section 207 of the Code of Criminal Procedure, has been relied upon by the petitioner, I am of the opinion that the

petitioner approached this Court at a premature stage and after the charge has been framed and date has been fixed for evidence, there has been change of circumstances which does not call for interference by this Court.

Accordingly, the revisional application being CRR 2360 of 2018 is dismissed.

Interim order, if any, is hereby vacated.

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.)