

D/L 41
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C.R.R. No. 2371 of 2018
(Via Video Conference)

In Re: An application under Section 401 and 482 of the Code of Criminal Procedure;

Jay Prakash Gupta & Ors.
Versus
The State of West Bengal

Ms. Sonali Das.
...for the State.

The revisional application was preferred challenging the proceedings arising out of Pradhan Nagar Police Station Case No.401 dated 3.8.2018 under Sections 447/341/354/506/34 of the Indian Penal Code in connection with 3(i)(v) and 3(i)(x) of the S.C. and S.T. Act, 1989 (G.R. 2117/18) pending before the learned Additional Chief Judicial Magistrate at Siliguri.

The contentions advanced in the revisional application and the documents enclosed therein as a whole reflect that the petitioners have challenged the First Information Report.

The earlier order dated 20.02.2019 passed by a co-ordinate Bench reflects that it was submitted on behalf of the petitioners that the charge-sheet was filed in the meantime and the petitioners intended to file a supplementary affidavit to that effect.

As none appeared on behalf of the State, Ms Sonali Das, learned advocate, is directed to appear in this matter on behalf of the State. Her appointment may be regularised by the concerned authorities.

Having regard to the issues, which have been canvassed

in the revisional application, which are primarily questions of fact, I am of the opinion that no interference can be made at this premature stage. The petitioners would be at liberty to agitate the points canvassed in the revisional application at the appropriate stage of the proceedings.

With the aforesaid observations, CRR 2371 of 2018 is disposed of.

Pending application, if any, is 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.)