

21.04. 2022
item No.36
n.b.
ct. no. 34

CRR 2739 of 2017

**Mukti Pada Sahoo & Mukti Pada Sau & Ors.
Vs.
The State of West Bengal & Anr.**

Mr. Jayanta Narayan Chatterjee,
Mr. Nazir Ahmed,
Ms. Jayashree Patra,
Ms. Sreeparna Ghosh,
Ms. Ritusree Banerjee,
Mr. S. Koley,
Ms. Pritha Sinha

..... for the Petitioners

Mr. Saswata Gopal Mukherjee, P.P.
Mr. Arijit Ganguly,
Ms. Debjani Sahu

.....for the State

The revisional application was preferred challenging the investigation relating to Panskura Police Station Case No.325 of 2011 dated 25.10.2011 under Sections 302/201/364/120B of the Indian Penal Code.

Mr. Chatterjee, learned advocate appearing for the petitioners submits that the present case is in the nature of afterthought, a second FIR which is not tenable in the eye of law and was initiated after change of circumstances. The petitioners were all on a sudden implicated in connection with the instant case by the same complainant.

Mr. Saswata Gopal Mukherjee, learned Public Prosecutor appearing for the State had on the earlier occasion relied upon the report submitted by the Investigating Agency. The report reflects

that charge sheet has already been submitted in the meantime during the pendency of the revisional application.

It has also been informed that the next date has been fixed before the Learned Chief Judicial Magistrate, Purba Midnapore on July 25, 2022. Learned Public Prosecutor informed the Court that all the accused persons have participated in the process before the learned Court below. As the next date is fixed on July 25, 2022, the learned Chief Judicial Magistrate, Purba Midnapore is directed to comply with the provisions of Section 207 of the Code of Criminal Procedure on the said date and take steps for committing the case to the Court of sessions. Thereafter, once the proceedings are placed before the learned Sessions Judge or any other Court which has been delegated for the purposes of the Trial of the case, the said Court will consider the points canvassed in the revisional application at the time of consideration of charges.

With the aforesaid observations, CRR 2739 of 2017 is disposed of.

All pending connected applications, if any are consequently disposed of.

Interim order, if any, is hereby vacated.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)