

18.07.2022

Item No.68
Ct.No.34
dc.

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

C.R.R. 2902 of 2010

**Satish Chandra Roy & Anr.
versus
The State of West Bengal & Anr.**

In Re: An Application under Section 401 read with Section 482 of the Code of Criminal Procedure, 1973.

Mr. Abhra Mukherjee,
Mr. Sauradeep Dutta ... For the Petitioners.

Mr. Arijit Ganguly,
Mr. Sandip Chakraborty ... For the State.

Mr. Mukherjee, learned advocate appears on behalf of the petitioners.

As none appears on behalf of the State, Mr. Sandip Chakraborty, 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 authority.

The subject matter of this revisional application relates to an order dated 31.08.2010 passed by learned Sessions Judge, Purulia in Sessions Case No. 154/09 wherein charges were framed under Section 376 of the Indian Penal Code against the petitioner no.1 and under Section 417 of the Indian Penal Code against the petitioner no.2.

This revisional application appeared on 26.04.2011 when there was a limited stay for a period of six weeks. This Court is not apprised regarding the present stage of the proceedings before the learned trial court and after a period

of 11 years, it would be a travesty, if the legality or the illegality of order of framing charge is considered.

Accordingly, the revisional application is disposed of with a direction that if the sessions trial is still pending, the petitioners would be at liberty to canvass such point at the appropriate stage of the proceedings before the learned trial court.

With the aforesaid observations, the revisional application being CRR 2902 of 2010 is disposed of

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.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)