

31.03. 2022
item No.86
n.b.
ct. no. 34

CRR 1380 of 2020

**Ranajit Patra & Ors.
Vs.
State of West Bengal & Ors.**

Mr. Arindam Jana,
Mr. S. Chatterjee,
Mr. P. Bandopadhyay
.....for the Petitioners

Mr. Saibal Bapuli,
Mr. Arijit Ganguly,
Mr. Sanjib Kr. dan
.....for the State

The present revisional application has been preferred challenging the proceedings arising out of Ghatal Police Station Case No. 263 of 2020 dated 7.9.2020 under Sections 448/506/323/354B/34/420/406 of Indian Penal Code read with Sections 3(iii)(viii)(x)(xi) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

Mr. Jana, learned advocate for the petitioners submits that entirely a civil dispute has been given the shape of criminal proceedings and the petitioners have been falsely implicated in connection with the instant case.

According to the learned advocate for the petitioner the provisions of the Scheduled Castes and Scheduled Tribe (Prevention of Atrocities) Act, 1989 has been invoked with the object of jeopardising liberty of the petitioners and if the totality of the circumstances are appreciated, no case has been made out.

Mr. Arijit Ganguly, learned advocate appearing for the State produced the Case Diary and drew the attention of this Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure.

I have considered the materials appearing in the Case Diary and I have been informed that the investigation of the case is still in progress. Having regard to the same, I am of the opinion, that no interference can be made by this Court at this stage. However, the petitioner would be at liberty to agitate the points canvassed in the revisional application at the appropriate stage after the Investigating authority arrives at its opinion under Section 173 of the Code of Criminal procedure.

Accordingly, CRR 1380 of 2020 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.)