

07-04-2022
Subha
Item no.92
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

C.R.R 1504 of 2020

In the matter of : **Sri Manik Chandra Naskar.**

.....petitioner.

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

Mr. Kalyan Kumar Bhattacharjee
Ms. Naseem Islam

....for the Petitioner.

Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan

....for the State.

The present revisional application has been preferred challenging the proceedings arising out of New town P. S. Case No. 379 of 2016 dated 15.07.2016 under Sections 420/468/471/120B of the Indian Penal Code.

On completion of the investigation, the Investigating Officer submitted chargesheet under Section 420 of the Indian Penal Code. Learned advocate appearing on behalf of the petitioner submits that the petitioner is innocent of the charges and has been falsely implicated in the instant case. Further to explore remedy, the complainant has also approached the civil court and a title suit is pending between the parties.

I have perused the case diary produced by Mr. Ganguly, learned advocate appearing on behalf of the State.

I have also considered the revisional application and I find

that the petitioner approached this court at a stage when the documents under Section 207 of the Code of Criminal Procedure on which the prosecution proposes to rely were not served upon the petitioner.

Having regard to the same, I am of the opinion that the present application is premature and the petitioner would be at liberty to approach this court after canvassing the points agitated in the present revisional application before the learned trial court at the stage of Section 239 of the Code of Criminal Procedure.

Accordingly, the revisional application being CRR 1504 of 2020 is disposed of.

All pending applications, if any, in connection with the revisional application, are consequently disposed of.

Interim order, if any, is hereby vacated.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]

