

D/L130  
March 2,  
2022  
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C.R.R. No.1664 of 2020  
(Via Video Conference)

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

Dinobandhu Das Bairagya  
Versus  
The State of West Bengal & Anr.

Ms. Pampa Dey (Dhabal).  
...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld. P.P.,  
Md. Anwar Hossain,  
Ms. Sreyashee Biswas.  
...for the State.

The petitioner has challenged the proceedings arising out  
of Galsi Police Station Case No.419 of 2020 dated 28.09.2020.

Pursuant to the earlier direction passed by this Court,  
supplementary charge-sheet has been filed before the jurisdictional  
court.

Learned advocate appearing for the petitioner is  
aggrieved by certain factual aspects which includes amongst others  
that the petitioner has been falsely implicated as he was carrying  
out query in respect of land for which he has an agreement with the  
Government Authorities. Unnecessarily the police authorities and  
the land authorities are harassing the petitioner.

Mr. Hossain, learned advocate appearing for the State  
has produced the case diary.

After submission of the supplementary charge-sheet, I  
am of the view that there were earlier irregularities which have been

cured by the supplementary charge-sheet being filed. However, the factual inconsistencies, which are matters of defence, are to be agitated at the appropriate stage. Accordingly, debatable question of facts as raised by the learned advocate appearing for the petitioner is to be agitated before the learned trial court and, if so advised, in an application under Section 239 of the Code of Criminal Procedure at the stage of consideration of charge.

With the aforesaid observations, CRR 1664 of 2020 is disposed of.

Pending application, if any, is 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.)**