

07.09.2022

Item No.24

Ct.No.2

dc.

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 25 of 2020

**Pratap Sharma & Anr.
versus
The State of West Bengal & Anr.**

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

Mr. Aditi Shankar Chakraborty,
Mr. Nilay Chakraborty

... For the State.

None appears for the petitioners.

Mr. Aditi Shankar Chakraborty, learned APP, appears
for the State.

Records also reflect that on earlier occasion i.e. on
10.01.2022, none appeared for the petitioners.

Learned Additional Public Prosecutor submits that no
copy has also been served pursuant to the said order dated
10.01.2022.

Records of this case reflect that the subject-matter of
challenge relates to Sessions Case No. 48 of 2017
corresponding to Sessions Trial No. 03(03) of 2018 arising out
of Haldibari Police Station Case No. 151 of 2015 dated
03.09.2015 under Sections 498A/306/34 of the Indian Penal
Code and Sections 3 and 4 of the Dowry Prohibition Act
pending before learned Additional Sessions Judge,
Mekhliganj, Coochbehar. Records reflect that case was
registered in the year 2015 and the case was committed in

the year 2017 before the learned sessions court. The documents which have been enclosed with this revisional application include only the formal FIR, the letter of complaint and the report of the police authorities under Section 173 of the Code of Criminal Procedure. The order dated 20.03.2019 reflects that the learned trial court was pleased to fix date on 02.07.2019 for evidence of CSW 1 and 2.

Having regard to the stage of the case at which the petitioners approached before this Court and the manner of participation of the petitioners before this Court in this revisional application, I do not think that at this belated stage, the same warrants any interference as the orders which were passed are more than three years ago and the sessions case commenced in the year 2017. Consequently, I dismiss the revisional application being CRR 25 of 2020. However, the petitioners would be at liberty to agitate the points canvassed in this revisional application at the stage of final arguments of the case or during the stage of cross-examination.

Needless to state that the issues are to be addressed by the learned trial court and no case for quashing of the proceedings or invoking the jurisdiction under Section 482 of the Code of Criminal Procedure has been made out by the petitioners.

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.)