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

C.R.R 128 of 2021

In Re: An application under Sections 397/401 read with Section 482
of the Code of Criminal Procedure, 1973;

Abhi Sankar Mohalanobish and another
Versus
The State of West Bengal and another

Mr. Bapi Sarkar.
...for the petitioners.

Mr. Aditi Shankar Chakraborty,
Mr. Aniruddha Biswas.
...for the State.

The revisional application was preferred primarily challenging the order dated 29th January, 2021, although the same was under the garb of quashing of the proceedings. Charge-sheet was submitted before the learned court under the provisions of Indian Penal Code as well as under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The petitioners took out an application under Section 227 of the Code of Criminal Procedure, learned special court took into account the different facets of the application which included amongst others, civil dispute, absence of materials collected by the Investigating Agency, suppression of material

fact, the applicability of the provisions of SC/ST (Prevention of Atrocities) Act as well as an analysis regarding the different witnesses who had relied upon by the Investigating Agency to submit the report under Section 173 of the Code of Criminal Procedure. On an overall consideration of materials placed before this Court and the manner in which the same was decided by the learned special court, I am of the opinion that there is no scope for interference in the present revisional application.

Accordingly, CRR 128 of 2021 is dismissed.

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.)

