

14.09.2022

Item No.37

Ct.No.2

dc.

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

C.R.R. 130 of 2022

**Mijanur Rahaman @ Mizanur Rahaman & Anr.
versus
State of West Bengal & Anr.**

In Re: An Application under Section 482 read with Section 401 of the Code of Criminal Procedure, 1973.

Mr. Hillol Saha Podder,
Mr. Apan Saha

... For the Petitioners.

Mr. Aditi Shankar Chakraborty,
Mr. Abhijit Sarkar,
Mr. Sourav Ganguly

... For the State.

Ms. Madhushri Dutta

... For the Opposite Party No.2.

The petitioners have challenged the proceedings arising out of Dinhata Women Police Station Case No. 51 of 2020 dated 13.07.2020 under Sections 498A/307/109 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Mr. Saha Podder, learned advocate appearing for the petitioners submits that on conclusion of investigation, charge-sheet has already been filed before the learned Additional Chief Judicial Magistrate, Dinhata, Cooch Behar. However, the documents under Section 207 of the Code of Criminal Procedure are yet to be supplied to the petitioners.

Learned advocate for the opposite party no.2 is present.

As none appears on behalf of the State, Mr. Sourav Ganguly, learned advocate, who ordinarily appears for the State, is directed to appear in this matter and represent the

State. His appointment may be regularized by the concerned authorities.

Having regard to the stage of the case that the petitioners are yet to receive the documents under Section 207 of the Code of Criminal Procedure, I direct that the petitioners on receipt of the same would canvass the issues before the jurisdictional trial court at the stage of consideration of charge.

Needless to state that the learned trial court would independently form its opinion without being influenced by any of the observations made by this Court while disposing of the present revisional application.

With the aforesaid observations, the revisional application being CRR 130 of 2022 is disposed of.

Interim order, if any, is hereby vacated.

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.)