

07.09.2022

Item No.21

Ct.No.2

dc.

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

C.R.R. 151 of 2019

**Ram Pukar Sha & Ors.
versus
The State of West Bengal & Anr.**

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

Mr. Arijit Ghosh,
Ms. Swarnali Ghosh (Sengupta) ... For the Petitioners.

Mr. Aditi Shankar Chakraborty,
Mr. Ujjwal Luksom ... For the State.

Affidavit-of-service filed in Court today be kept on record.

This revisional application has been preferred challenging the proceedings relating to Kalchini Police Station Case No. 24 of 2019 dated 08.03.2019. Records of this revisional application reflect that charge-sheet has been submitted by the Investigating Officer of the case under Sections 341/323/379/34 of the Indian Penal Code. The records also reflect that only the FIR and the charge-sheet have been enclosed by the petitioners.

None of the documents under Section 207 of the Code of Criminal Procedure has been either received or enclosed along with this revisional application. Accordingly, I am of the opinion that this revisional application has been preferred at a premature stage. The petitioners would be at liberty to canvass the points agitated in the present revisional

application at the stage of consideration of charges before the learned Magistrate.

Needless to state that this Court has not gone into the merits of the case, but has expressed opinion regarding the stage of the proceedings at which the petitioners have approached this Court. Learned Magistrate will independently consider the issue whether a case has been made out for consideration of charges or not.

With the aforesaid observations, the revisional application being CRR 151 of 2019 is disposed of.

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.)