

09.06.2023

Item No.47
Ct.No.34
dc.

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION

C.R.R. 83 of 2023

In the matter of : **Kausar Ali Mistry** ... Petitioner.

Mr. Sujit Saha ... For the Petitioner.

Mr. S. G. Mukherjee, Ld. P.P.,
Ms. Sreyashee Biswas ... For the State.

The petitioner has challenged the continuance of Sonarpur Police Station Case No. 1475 of 2016 under Sections 285/326 of the Indian Penal Code wherein charge-sheet was submitted under the same Sections.

Learned advocate appearing for the petitioner is directed to serve a copy of this revisional application upon Ms. Sreyashee Biswas, learned advocate, who ordinarily appears for the State. Her appointment may be regularised by the concerned authorities.

It has been submitted by the petitioner that he is innocent of the charges and has been falsely implicated in the instant case. Attention has been drawn to the seizure list and it is submitted that the Sections for which the petitioner has been implicated do not in anyway reflect any incriminating material so far as the charge-sheet is concerned.

On perusal of the revisional application, I find that the copies and documents under Section 207 of the Code of Criminal Procedure on which the prosecution proposes to rely upon, are not enclosed. The case is of the year 2016. Having considered the submissions of the learned advocate for the

petitioner, I am of the view that the issues so raised cannot be considered at this stage.

The petitioner would be at liberty to canvass such points at the stage of consideration of charges and/or at the appropriate stage of the trial.

With the aforesaid observations, the revisional application being CRR 83 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned 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.)