

16-08-2023
Subha
D/L 62
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 192 of 2023

Sushil Malakar & Ors.
-versus-
The State of West Bengal and Anr.

Mr. Madhusudan Sur, Id. APP
Mr. Manoranjan Mahata
....for the State.

None appeared on behalf of the petitioners when the revisional application was called on 13th June, 2023. Today, none appears when the revisional application has been called.

Accordingly, Mr. Madhusudan Sur, learned Additional Public Prosecutor, who ordinarily appears on behalf of the State is directed to represent the State. His appearance may be regularized by the concerned Authorities in due course.

The present revisional application has been preferred in connection with Bagdah P. S. Case No. 654 of 2017 dated 10.09.2017 wherein chargesheet was submitted under Sections 498A/406/34 of the Indian Penal Code.

Record of this revisional application reflects that only the FIR and the chargesheet have been enclosed. Chargesheet was submitted before the jurisdictional court in the year 2018 and only under Section 498A of the Indian Penal Code.

Having regard to the fact that the issues so canvassed in the revisional application relate to question of facts and the

chargesheet was submitted five years ago as also none of the documents under Section 207 of the Code of Criminal Procedure being enclosed, I am of the opinion that this court is not in a position to invoke its jurisdiction under Section 482 of the Code of Criminal Procedure.

Petitioners would be at liberty to canvass such point in course of the trial at the appropriate stage.

No interference is made by this court at this stage.

With the aforesaid observations, the present criminal revisional application being CRR 192 of 2023 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]