

13.06.2023

Item No.28
Ct.No.34
dc.

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION

C.R.R. 205 of 2023

In the matter of : **Pranab Kumar Bakuly & Anr.** ... Petitioners.

Mr. Sk. Toslim Ali ... For the Petitioners.

Mr. S. G. Mukherjee, Ld. P.P.,
Mrs. Anasuya Sinha ... For the State.

Learned advocate appearing for the petitioners is directed to serve a copy of this revisional application upon Mrs. Anasuya Sinha, learned advocate, who ordinarily appears for the State. Her appointment may be regularised by the concerned authorities.

The subject-matter of the present revisional application relates to Amta Police Station Case No. 283 of 2021 dated 27.10.2021. It has been submitted that after conclusion of investigation, charge-sheet has been submitted before the jurisdictional court. The learned advocate on being asked stated that copies and documents under Section 207 of the Code of Criminal Procedure are yet to be supplied to the present petitioners and the case arose out of civil dispute.

I have considered the submissions and I find that one of the sections which has been incorporated in the charge-sheet is Section 354 of the Indian Penal Code. Having considered that the prosecution papers are yet to be supplied to the petitioners, I direct that on receipt of such documents, on which the prosecution proposes to rely on, the petitioners would be at liberty to take out an application under Section

239 of the Code of Criminal Procedure before the learned Magistrate. The learned Magistrate will consider the same in accordance with law without being influenced by any observations made by this Court while disposing of the present revisional application.

With the aforesaid observations, the revisional application being CRR 205 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.)