

26.07.2023
Item No.295
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

**C.R.R. 308 of 2022
with
CRAN 1 of 2023**

In the matter of : **Debabrata Ruidas & Ors.** ... Petitioners.

Mr. Dinesh Chandra Singh,
Mr. Aniruddha Mohanta ... For the Petitioners.

Mr. Surajit Basu,
Mr. Biswajit Sarkar,
Mr. Samudra Nil Sarkar ... For the Opposite Party No.2.

Re: CRAN 1 of 2023
(an application for Restoration)

The present application being CRAN 1 of 2023 has been preferred for recalling the order dated 04.05.2023 wherein the revisional application was dismissed for default. Having considered the grounds assigned in the application being CRAN 1 of 2023, I am of the view that the same are just and sufficient. Accordingly, the order dated 04.05.2023 is recalled and the revisional application is restored to its original file and number.

The application being CRAN 1 of 2023 is, thus, allowed.

Re: CRR 308 of 2022

The revisional application is taken up for consideration. I find from the records of the case that the petitioners have enclosed only the charge-sheet of Purulia Women Police Station Case No. 10 of 2018 dated 22.10.2018 wherein charge-sheet was submitted on or about 31.01.2019 under Sections 498A/506/323/34 of the Indian Penal Code

read with Sections 3/4 of the Dowry Prohibition Act. Having considered that the documents under Section 207 of the Code of Criminal Procedure are yet to be supplied to the present petitioners, I am of the opinion that it would be premature to interfere at this stage with the merits of the case. Accordingly, no interference is made so far as the merits of the case is concerned.

The petitioners would be at liberty to canvass their points at the stage of Section 239 of the Code of Criminal Procedure before the learned jurisdictional court.

Learned trial court would consider the issues in its true and proper perspective without being influenced by any of the observations made by this Court while disposing the present revisional application.

In case the learned trial court feels that the charges are to be framed and the trial is to be conducted, the learned trial court would at least fix one date in a month so that trial of the case can be taken to its logical conclusion within a reasonable period of time.

With the aforesaid observations, the revisional application being CRR 308 of 2022 is disposed of.

Pending other 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.)