

17.07.2023
Serial no. 37
[G.S.D]

CRR 291 of 2023

In the matter of : Md. Nur Islam @ Tutul Ali

... .. Petitioner

Mr. N. Nandy

... .. For the Petitioner

The petitioner is directed to serve a copy of this revisional application upon Mr. Pravas Bhattacharya, Learned Advocate, who ordinarily appears on behalf of the State. His appointment may be regularised by the concerned authority.

The subject-matter of the revisional application relates to continuance of Memari P.S. Case No. 611 of 2021 dated 22.9.2021. The revisional application earlier appeared on 27th June, 2023 when the Learned Advocate for the petitioner submitted that he would file a Supplementary Affidavit enclosing the documents under Section 207 of the Code of Criminal Procedure.

Today, when the matter has been called, a similar prayer has been advanced.

Having regard to the stage of the case at which the petitioner approached this Court immediately after filing of the Report under Section 173 of the Code of Criminal

Procedure, I am of the view that further pendency of this revisional application before this Court is unwarranted.

The petitioner would be at liberty to canvass all the points which has been advanced in the present revisional application at the appropriate stage of consideration of charges immediately on receipt of the copies under Section 207 of the Cr.P.C.

The Learned Trial Court would independently consider the merits of the case when such application in the nature of Section 239 of the Cr.P.C. is preferred without being influenced by any observations made by this Court.

With the above observations, CRR 291 of 2023 is disposed of. Pending application(s), if any, is also disposed of.

All parties to act on a server copy of this order duly obtained from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)