

17.07.2023
Serial no. 38
[G.S.D]

CRR 299 of 2023

In the matter of : Pradip Dhar & Anr.

... .. Petitioners

Ms. Megha Chanda

... .. For the Petitioners

This revisional application earlier appeared on 27th June, 2023. The petitioners had prayed for liberty to file the Supplementary Affidavit enclosing the documents under Section 207 of the Cr.P.C.

Today, also an accommodation has been prayed for filing such Supplementary Affidavit.

In view of the prayer so advanced, I am of the opinion that further pendency of this revisional application before this Court is unwarranted.

The petitioners are directed to serve a copy of this revisional application upon Mr. Palash Majhi, Learned Advocate, who ordinarily appears on behalf of the State. His appointment may be regularised by the concerned authority.

On scrutiny of the revisional application, I find that only the charge-sheet under Section 173 of the revisional application has been enclosed.

I am of the opinion that the documents under Section 207 of Cr.P.C. on the basis of which such charge-sheet has been submitted, should be placed before this Court for consideration of the case on merits. The application as such is premature.

The petitioners would be at liberty to canvass the points agitated in the present revisional application at the stage of Section 239 of the Code of Criminal Procedure.

The Learned Magistrate will consider such application in the background of the facts of the case without being influenced by any of the observations made by this Court while disposing of the present revisional application.

For the present, I hold the present revisional application is premature and, as such, I do not like to interfere with the prayers so advanced.

With the above observations, CRR 299 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.)