

18.07.2023
Serial no. 35
[G.S.D]

CRR 368 of 2023

In the matter of : Ragab Sharma

... .. Petitioner

Ms. S. Mukherjee

... for the petitioner

The petitioner is directed to serve a copy of this revisional application upon Ms. Manisha Sharma, Learned Advocate, who ordinarily appears on behalf of the State. Her appearance may be regularised by the concerned authority.

Learned Advocate appearing on behalf of the petitioner submits that the Learned Magistrate refused to add Section 201 of the Indian Penal Code in spite of the Investigating Officer praying for the same, which, according to the defacto-complainant, has prejudiced him.

It has been additionally submitted that subsequent to the initiation of the present revisional application, the case is in progress before the Learned Sessions Court. Evidence has commenced.

At this stage, I do not intend to revert back to the issues of the applicability of the Sections in respect of the offence so committed.

In view of the fact that charge has already been framed, the Learned Trial Court would take into account the evidence which is surfacing in course of the trial. At an appropriate stage, the Learned Trial Court, if it thinks fit and proper, may alter the charges, if required.

With the aforesaid observations, CRR 368 of 2023 is disposed of. Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court at 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.)