

11.01.2023
S/L No.21
KS

C.R.R. 587 of 2021
With
IA No. CRAN 1 of 2021
Sri Sanjoy Bhattacharyya
-Vs.-
State of West Bengal & Anr.

Ms. Minoti Gomes
Mr. Dilip Kumar Shyamal
Mr. Koushik Banerjee
..... For the Petitioner
Mr. Prasun Kumar Dutta
Md. Kutubuddin
Mr. Santanu Deb Roy
.....For the State
Mr. Sukanta Chakraborty
Mr. Anindya Halder
.....For the O.P. No.2

The revisional application has been preferred challenging the charge-sheet submitted in connection with Harwood Point Coastal Police Station Case No.198 of 2020 dated 04.09.2020 under Sections 447/ 323/ 325/ 506/ 34 of the Indian Penal Code. Learned advocate submits that the petitioner has been made an accused in spite of he himself suffering a loss of Rs.30,000/- and he being assaulted while he was arrested by the police authorities. Learned advocate submits that the complainant happens to be a lawyer of the local bar and there is every possibility of creating impediment in course of the trial so that the petitioner may not get proper justice.

Learned advocate appearing for the State produces the Case Diary and draws attention of the Court to the statement of the witnesses as also the injury report.

Learned advocate appearing for the private opposite party submits that the present petitioner happens to be assaulted with number of cases and has criminal antecedents.

I have considered the submissions advanced by the learned advocates appearing for the petitioner, State as also the private opposite party and having regard to the materials appearing in the Case Diary including the injury report, I am of the opinion that there is no case for interference on merits of the case in respect of the prayers so advanced by the petitioner. So far as the oral submission which has been made by learned advocate appearing for the petitioner for transfer of the case from the court of the Learned A.C.J.M., Kakdwip to that of the learned A.C.J.M., Diamond Harbour, I am of the opinion that in case any impediment is created in future when the petitioner participates in the trial of the case or on any date in connection with the instant case, the petitioner would be at liberty to inform the learned A.C.J.M., Kakdwip and seek prayer from the learned District Judge, 24 Parganas (South) for transfer of the case from Kakdwip to Diamond Harbour.

With the aforesaid directions, C.R.R. 587 of 2021 is disposed of.

Pending applications, if any, are consequently disposed of.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Tirthankar Ghosh, J.)