

19.09.2023
Item No.58
Ct.No.34
dc.

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

C.R.R. 818 of 2023

In the matter of : **Shri Ramesh Kumar Jaiswal** ... Petitioner.

Mr. Apalak Basu,
Mr. Akash Ganguly,
Mr. Aniruddha Ganguly ... For the Petitioner.

Mr. Madhusudan Sur,
Mr. Dipankar Paramanick ... For the State.

Learned advocate appearing for the petitioner is directed to serve a copy of this revisional application upon Mr. Madhusudan Sur, learned advocate, who ordinarily appears for the State. His appointment may be regularised by the concerned authorities.

The investigation of this case being Howrah Police Station Case No. 206 of 2022 dated 22.04.2022 commenced under Sections 341/323/384/386/506/34/411 of the Indian Penal Code. On conclusion of investigation, charge-sheet has been submitted before the jurisdictional court. However the documents under Section 207 of the Code of Criminal Procedure are yet to be supplied to the present petitioner.

The main thrust of contention of the present petitioner is that the petitioner as a social worker had been highlighting the illegalities in the areas at the instance of the persons who have been flexing muscles and for that he had to suffer the consequences for which the present case has been initiated. A counter-case has also been filed in respect of which charge-sheet has also been submitted by the investigating agency.

Having regard to the stage at which the petitioner approached this Court, I am of the view that the same is premature. The petitioner would be at liberty to canvass such points after receipt of documents under Section 207 of the Code of Criminal Procedure by taking out an application in the nature of Section 239 of the Code of Criminal Procedure before the learned Chief Judicial Magistrate, Howrah. The learned Chief Judicial Magistrate, Howrah or the learned trial court would consider the application under Section 239 of the Code of Criminal Procedure in accordance with law without being influenced by any observations made by this Court while disposing of the present revisional application.

With the aforesaid observations, the revisional application being CRR 818 of 2023 is disposed of.

Pending 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.)