

30-06-2023
Subha
Item no. 62
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 830 of 2023

Md. Shakil & Anr.
-versus-
The State of West Bengal & Anr.

Mr. Bidyut Kumar Halder
Mr. Indranil Halder
Ms. Srabanti Das
....for the petitioners.

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan
....for the State.

Petitioners submit that the allegations in the first information report factually is for purposes of falsely implicating them.

I have perused the inspection report which refers to the name of these two petitioners and the allegations against them that they were tapping from the pillar box for their own use as well as for distribution in the locality in lieu of money.

Petitioners are directed to serve a copy of the revisional application upon Mr. Sanjib Kumar Dan, learned advocate who ordinarily appears on behalf of the State. His appointment may be regularized by the concerned Authorities in due course.

Learned advocate submits that the residence of the petitioners and the locale on which such tapping of unauthorized tapping of electricity was taking place are completely different. Petitioners are staying at a different place and the particular area,

pillar box which has been shown in the inspection report has nothing to do with the present case.

I have considered such submissions including the photographs which are relied upon, but having regard to the present stage and the case when investigating of the case is under progress, I am of the view that in the fitness of circumstances, the petitioners would take up such issues with the Investigating Agency. No interference can be made by summarily coming to a conclusion regarding the truth and falsity made in the FIR.

Petitioners would as stated earlier be at liberty to inform the Investigating Agency or their superior officer in respect of the issues canvassed before this court.

With the aforesaid observations, the present revisional application being CRR 830 of 2023 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

[Tirthankar Ghosh, J]

