

D/L45
25.01.2023
Bpg.

C.R.R.734 of 2021
With
CRAN 1 of 2022

In Re: An application under Section 401 read with under Section 482 of
the Code of Criminal Procedure;

Chandi Das Mukherjee and others
Versus
The State of West Bengal and another

Ms. Faria Hossain,
Ms. Baisali Basu.
...for the State.

Report submitted by Ms. Baisali Basu, learned advocate
appearing for the State be kept with the record. Report reflects
that at the appropriate address there has been a service.

There has been no persuasion in respect of the present
revisional application which arose out of a proceeding being C.R.
Case No.581 of 2018 pending before the learned Judicial
Magistrate, 5th Court, Paschim Medinipur.

Having considered the nature of the allegations
complained therein, I am of the view that no interference can be
made without the complainant being provided an opportunity to
adduce evidence before charge.

The petitioners would be at liberty to canvass their issues
at the stage of consideration of charge after prosecution evidence is
over.

With the aforesaid observations, CRR 734 of 2021 is
disposed of.

Pending application, if any, is consequently disposed of.

Interim order, if any, is hereby vacated.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)