

D/L38
10.01.2023
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C.R.R.760 of 2021

In Re: An application under Section 482 of the Code of Criminal Procedure, 1973;

Ms. Kainat Khatoon @ Kainath Khatoon
Versus
The State of West Bengal and another

Mr. Arijit Ganguly,
Ms. Debjani Sahu.
...for the State.

The present revisional application was preferred challenging the continuance of Tiljala Case No.424 of 2018 dated 07.11.2018 under Section 306 of the Indian Penal Code.

Records of the revisional application reflect that after the charge-sheet was filed before the jurisdictional court, learned Magistrate after compliance with the provisions of Section 207 of the Code of Criminal Procedure committed the case to the learned Sessions Judge. The case was thereafter made over to the learned Additional District Judge, Fast Track, 1st Court, Alipore, 24 Parganas (South). Last of the orders reflect that date was fixed for consideration of charge.

In the present revisional application, adjournment was sought for before a co-ordinate Bench for filing supplementary affidavit incorporating the status of the case. Records also reflect that SC 45(II) of 2019 was re-numbered before the learned trial court.

As none appeared on behalf of the State, Mr. Arijit

Ganguly, learned advocate, who ordinarily appears on behalf of the State, is directed to represent the State. His appearance may be regularised by the concerned authorities.

Having considered the stage at which the petitioner approached this Court, I am of the opinion that no interference is called for by this Court, as the documents under Section 207 of the Code of Criminal Procedure are not available with the records. The petitioner would be at liberty to agitate the points in course of the trial.

With the aforesaid observations, CRR 760 of 2021 is disposed of.

Pending application, if any, is consequently disposed of.

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.)