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CRR 824 of 2016

**Ganapati Jana
versus
State of West Bengal & Anr.**

Mr. Sanjib Seth ... for the petitioner.

Mr. Joydeep Roy,
Ms. Sujata Das ... for the State.

This revisional application has been filed challenging the order dated 3rd December, 2015, whereby learned Judicial Magistrate, 1st Class, Municipal Court, Howrah refused to modify the order passed earlier by the Court, refusing the prayer for discharging the petitioner from the case.

From the status report, it is found that charge has already been framed and recording of evidence started as well as petitioner participated in the proceeding by cross-examining the witnesses.

Therefore, at this stage, question of discharge of the petitioner from the case does not arise.

However, petitioner will have the liberty to raise the issue of marriage before the Trial Court.

With the aforesaid observation, the revisional application stands disposed of.

Pending application, if there be any, also stands disposed of.

Urgent photostat certified copy of the order, if applied for, be given to the parties on usual undertakings.

All parties to this revisional application shall act on the server copy of this order downloaded from the official website of this Court.

(Bibhas Ranjan De, J.)