

23.02.2023

Sl.No. 27

Ct. 236

Amalranjan

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

CRR 943 of 2011

With

CRAN 2 of 2012 (Old CRAN 137 of 2012)

With

CRAN 3 of 2014 (Old CRAN 1599 of 2014)

Sudipta Das

Vs.

State of West Bengal and anr.

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

Mr. Bidyut Kumar Roy

Ms. Manisha Sharma

...for the State

None is appearing on behalf of the petitioner. The matter is pending for more than 10 years. Instead of adjourning the matter suo motu I am inclined to dispose of the same based on the materials available with the record.

This criminal revisional application under Section 482 of the Criminal Procedure Code challenges the proceeding being GR Case No. 1242 of 2009 corresponding to Amta Police Station Case No. 137/2009 dated 05.11.2009 under Sections 376/511 of the Indian Penal Code.

It is contended by the petitioner that he has been falsely implicated in a case for allegedly committing offence under Sections 376/511 of the Indian Penal Code registered at the instance of a father of a girl aged about 10 years.

I have perused the copy of the FIR annexed to the petition, which is eloquent about sexual intention of the petitioner with which he hugged the said child and sexually assaulted her.

This is not a fit case to invoke the provision of Section 482 of the Criminal Procedure Code, particularly when chargesheet has been submitted. The petitioner shall have to face the trial.

With the aforesaid observations, the criminal revisional application is dismissed.

Interim order, if any, stands vacated.

Let a copy of this order be sent down to the learned trial court for information and necessary action.

All parties are to act on the server copies of this order duly downloaded from the official website of this court.

(Siddhartha Roy Chowdhury, J.)