

23.02.2023

Sl.No. 28

Ct. 236

Amalranjan

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

CRR 945 of 2011

Purnima Pramanik

Vs.

State of West Bengal and anr.

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

Mr. Narayan Prasad Agarwal

Mr. Pratick Bose

...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 SC Case No. 256 (Oct.) of 2010 under Sections 308/324/326 of the Indian Penal Code, 1860 corresponding to Durgachak Police Station Case No. 69 of 2006 dated 15.11.2006. It is contended that the opposite party no. 2/defacto-complainant happens to be a neighbour to the petitioner and there was a dispute over a boundary, as a result an altercation took place between the petitioner and the wife of the opposite party no. 2 and she has been implicated falsely in this criminal proceeding.

Her prayer for discharge from the proceeding was considered and turned down by the learned trial court.

Upon perusal of the order impugned, I find that the accused person assaulted the victim with a katary (sharp cut weapon) on her head. The medical certificate indicates that she was admitted to a hospital and remained as indoor patient from 23rd March, 2004 to 30th March, 2004 with the injury on her scalp. These observations unerringly create grave suspicion regarding commission of offence so far the accused person is concerned and, in my humble opinion, the impugned order does not warrant any interference. The criminal revisional application is bereft of merit and is dismissed. However, there will be no order as to costs.

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.)