

D/L47
12.10.2023
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C.R.R.1013 of 2023

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

Shyam Malakar
Versus
State of West Bengal and another

Mr. Tapan Datta Gupta
Mr. Parvej Anam.
...for the petitioner.

Mr. Madhusudan Sur
Mr. Manoranjan Mahata.
...for the State.

Petitioner is directed to serve a copy of the revisional application upon Mr. Madhusudan Sur, learned advocate, who ordinarily appears on behalf of the State. His appointment may be regularised by the concerned authorities.

Learned advocate has challenged the continuance of proceedings of Baruipur Police Station Case No.95 of 2022 dated 14.01.2022 wherein after completion of investigation, charge-sheet has been submitted before the jurisdictional court.

Records of the revisional application do not reflect that the documents under Section 207 of the Code of Criminal Procedure have yet been served upon the present petitioner. Having regard to the same, I am of the opinion that the revisional application is premature. Petitioner is granted liberty to canvass such points at the stage of Section 227 of the Code of Criminal Procedure before

the learned trial court. Learned trial court will dispose of such application in accordance with law without being influenced by any observations made by this Court while dealing with the revisional application.

With the aforesaid observations, CRR 1013 of 2023 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.)