

25.01.2023
S/L No.35
KS

C.R.R.968 of 2021

**Rakesh Dutta & Ors.
-Vs.-
The State of West Bengal**

Mr. Arijit Ganguly
Mrs. Debjani Sahu
.....For the State

The present revisional application has been preferred challenging the order dated 02.02.2021 passed by the learned Additional Sessions Judge, 5th Court, Paschim Medinipur in connection with SC No.05(10)/2019 which arose out of G.R. No.55/2018 corresponding to Dantan Police Station Case No.516 of 2018 dated 22.10.2018 under Sections 498A/ 323/ 313/ 506/ 34 of the Indian Penal Code. The main grievance of the petitioners who approached this Court were to the effect all the persons at the same breath have been implicated as accused and charged without there being any specific allegations against them.

As none appeared on behalf of the State, Mr. Arijit Ganguly, learned advocate who ordinarily represents on behalf of the State is directed to represent the case for the State. His appointment may be regularized by the concerned authority.

I have considered the order which has been challenged wherein the learned Sessions Judge on perusal of the Case Diary came to his finding that there are recorded statements under Section 161 of the Code

of Criminal Procedure alongwith medical documents which prima facie point finger to the complicity of the present petitioners. Learned court after assessing the same was of the opinion that there are sufficient grounds to frame charges and, as such, dismissed the application for discharge and fixed a subsequent date for framing of charges.

I have assessed the reasonings so assigned by the learned Sessions Judge and I find that there is no illegality in the said order and/or reasoning for framing of charges.

Accordingly, C.R.R.968 of 2021 is dismissed.

Pending applications, if any, are consequently disposed of.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Tirthankar Ghosh, J.)