

07.02.2023

Item No.18
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 973 of 2021

**Sudarsan Maity @ Sri Sudarshan Maity Ors.
versus
The State of West Bengal & Anr.**

In Re: An Application under Sections 401/482 of the Code of Criminal Procedure.

Mr. Suman De ... For the Petitioners.

Mr. Saibal Bapuli,
Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan ... For the State.

Mr. De, learned advocate appearing for the petitioners submits that over the selfsame incident two cases were instituted being Haldia Women Police Station Case No. 77/2020 dated 23.12.2020 and Durgachak Police Station Case No. 133/2020 dated 10.11.2020. The reference to the occurrence in respect of the offences in both the cases reflects time to be 8.00 hours and the date to be 09.11.2020.

Having considered the nature of the offences complained of, the possibility of case and counter-case in respect of the incident cannot be ruled out. In view of the aforesaid, learned Additional Chief Judicial Magistrate, Haldia is directed to try both the cases being Haldia Women Police Station Case No. 77/2020 dated 23.12.2020 and Durgachak Police Station Case No. 133/2020 dated 10.11.2020. Both the cases must be tried one after the other in accordance with the proposition of law settled by the Hon'ble Supreme Court in ***Sudhir Vs. State of M.P.*** reported in **(2001) 2 SCC 688**.

With the aforesaid observations, the revisional application being CRR 973 of 2021 is disposed of.

All pending connected applications, if any, are 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 with all requisite formalities.

(Tirthankar Ghosh, J.)