

05-12-2023
Subha
Item no. 45
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1190 of 2023

Soubhik Maity and Ors.

-versus-

State of West Bengal & Ors.

Mr. Gunsan Shah
Mr. Chitrabhanu Gupta
Ms. Shreya Agarwal
.....for the petitioners.
Mrs. Debjani Sahu
...for the State.

Petitioners are directed to serve a copy of the revisional application upon Mrs. Debjani Sahu, learned advocate, who ordinarily appears on behalf of the State. Her appointment may be regularized by the concerned Authorities in due course.

Learned advocate for the petitioners submits that the complaint was filed by the mother of the victim/lady which was taken into account and finally the Investigation Agency on conclusion of investigation has submitted chargesheet in connection with Kolaghat P. S. Case No. 461 of 2022 dated 11.09.2022.

Learned advocate for the petitioners submits that the next date is fixed on 17th December, 2023 for consideration of charges. The learned trial court would overcome the stage of considering charges on the next date or within a month thereafter. The trial court would thereafter fix one date in every two months so that the trial of the case can be taken to its logical conclusion.

It has further been contended that the lady has been filing her complaints before all the authorities, however, in this case the mother of the lady has filed the complaint.

Be that as it may, I find that the chargesheet has already been submitted

before the jurisdictional court but none of the documents under Section 207 of the Code of Criminal Procedure are enclosed along with the revisional application.

Having regard to the same, I am of the view that the present revisional application is premature. Petitioners would be at liberty to canvass such points, which have been agitated in the present revisional application at the stage of Section 239 of the Code of Criminal Procedure before the jurisdictional court if so advised. Needless to state that the learned trial court/jurisdictional court would decide the issue in accordance with law without being influenced by any observations made by this court while disposing of the present revisional application.

With the aforesaid observations, the revisional application being CRR 1190 of 2023 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]