

D/L77  
16.06.2023  
Bpg.

C.R.R.1227 of 2023

In Re: An application under Section 401 read with Section 482 of the  
Code of Criminal Procedure, 1973;

Anup Sarkar  
Versus  
State of West Bengal and another

Mr. Arindam Jana,  
Mr. Sudipta Dasgupta,  
Mr. Bikram Banerjee,  
Mr. Sagar Dey,  
Mr. Sutirtha Nayek.  
...for the petitioner.

Mr. Rudradipta Nandy,  
Ms. Sonali Das.  
...for the State.

Mr. Uday Sankar Chatterjee,  
Mr. Suman Sankar Chatterjee.  
...for the opposite party no.2.

Petitioner is directed to serve a copy of the revisional application upon Mr. Rudradipta Nandy, learned advocate, who ordinarily appears on behalf of the State. His appearance may be regularised by the concerned authorities. August, 2023.

Petitioner will also serve a copy of the revisional application upon Mr. Uday Sankar Chatterjee, learned advocate appearing for the opposite party no.2.

I have considered the submissions of the learned advocate appearing for the petitioner and I find that at this stage the charges which the prosecution has alleged against the petitioner cannot be stated to be groundless. The parameter on which the discharge petition is usually considered has been adhered to by the

learned special court and, as such, there is no scope of interference by this Court. There are issues, which Mr. Jana has canvassed, but the same are to be considered in course of the trial and at the final stages of the arguments of the case. As such, there is no interference at this stage.

With the aforesaid observations, CRR 1227 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.)**