

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

Present :

The Hon'ble Justice Bibek Chaudhuri

C.R.R. 1265 of 2023

Saddam Miah

Vs.

The State of West Bengal & Anr.

**For the petitioner : Mr. Dipanjan Chatterjee, Adv.
Ms. Tapati Sarkar, Adv.
Ms. Richa Pramanik, Adv.**

Heard on : 18.04.2023.

Judgment On : 18.04.2023.

Bibek Chaudhuri, J.

The petitioner has approached this Court praying for quashing of G.R. Case No.651 of 2022 pending before the learned Additional Chief Judicial Magistrate, Gangaramour at Buniadipur, Dakshin Dinajpur arising out of Gangarampur Police Station Case No.299 of 2022 dated 8th June, 2022 under Sections 363/364A/506/34 of the Indian Penal Code.

It is found from the record that the petitioner named in the FIR. There is an allegation of demand of ransom. The brother of the petitioner was kidnapped. Charge-sheet has been filed in the instant case. The petitioner has approached this Court for anticipatory bail which was rejected by the High Court. Learned Advocate for the petitioner submits referring to the FIR that no phone call was made from mobile No.6297692301 to mobile

number of one Rustom Mia on 7th June, 2022. In support of his contention he refers the call details of the phone number appearing in Page 25 of the instant petition.

When charge-sheet has been filed and it is not in dispute that the victim was kidnapped, this Court is not in a position to quash the criminal proceeding. However, the petitioner is at liberty to raise all such issues as raised in the instant revision at the time of consideration of charge before the Trial Court.

The learned Trial Judge is directed to consider the submission made on behalf of the petitioner and thereafter pass necessary order with regard to consideration of charge.

The instant application is, thus, disposed of.

In the meantime, petitioner is directed to surrender before the Trial Court.

(Bibek Chaudhuri, J.)

**Mithun De/
A.R. (Ct).
SI No.07.
D/L.**