

C.R.R. 1532 of 2022
Sardar Jagjeet Singh
Vs.
The State of West Bengal & Anr.

Mr. Sudip Ghosh Chowdhury	 for the petitioner
Mr. Arijit Ganguly	
Mr. Avik Ghatak	
	 for the State
Ms. Sreemoyee Mukherjee	
Mr. Kuntal Banerjee	
	 for the respondent no.2

Petitioner has challenged the further continuation of Hirapur Police Station Case No.109 of 2022 dated 21.03.2022 under sections 420/386/325/506 of the Indian Penal Code.

Learned advocate appearing for the petitioner submits that the present case was initiated with an ulterior motive for taking vengeance and there are no truth attached to the allegations made in the FIR. Learned Advocate appearing for the petitioner also submits that foundation of the FIR is on the basis of a contractual dispute. However, learned advocate for the petitioner candidly submits that during pendency of the present revisional application the charge-sheet has been submitted before the jurisdictional Court.

Ms. Sreemoyee Mukherjee, learned advocate appearing for the private opposite party opposes such contentions and submits that the accused is responsible for the offence and he has to take onus of facing the trial.

Mr. Arijit Ganguly, learned advocate appears on behalf of the State and opposes the plea of innocence of the learned advocate for the petitioner.

Having considered the submissions of the learned advocates for either of the parties and as submitted by the learned advocate for the petitioner that charge-sheet has already been submitted during pendency of the present revisional application and the documents under section 207 of the Code of Criminal Procedure are yet to be supplied to the petitioner, I am of the opinion that at this stage it would not be fit and proper to invoke the jurisdiction under section 482 of the Code of Criminal Procedure. Petitioner would be at liberty to take out an application in the nature of sections 239/227 of the Code of Criminal Procedure before the jurisdictional Court. Learned jurisdictional Court/trial Court would consider the application in accordance with law without being influenced by any observations made by this Court.

With the aforesaid observations, CRR 1532 of 2022 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.

(Tirthankar Ghosh, J.)