

06-12-2023
Subha
Item no. 49
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1403 of 2023

Parimal Mondal.

-versus-

State of West Bengal & Ors.

Mr. Rabi Sankar Chatterjee
Mr. Anup Dasgupta
Mr. Sayan Chattopadhaya
.....for the petitioner.

Mr. Manoranjan Mahata
...for the State.

Petitioner is directed to serve a copy of the revisional application upon Mr. Manoranjan Mahata, learned advocate, who ordinarily appears on behalf of the State. His appointment may be regularized by the concerned Authorities in due course.

Record reflects that Khejuri P. S. Case No. 61 of 2022 was registered for investigation pursuant to the complaint of Block Development Officer. The basic foundation is that in spite of the receipt of the amount from the P.M.A.Y.G/B.A.Y. the same was not utilized for construction of buildings.

Learned advocate for the petitioner submits that the petitioner was deterred from constructing his buildings by local elements. I find that after the investigation was conducted, the Investigating Agency has arrived at a conclusion and chargesheet has been submitted before the jurisdictional court.

None of the documents under Section 207 of the Code of Criminal Procedure are yet to be received. The revisional application, as such, is premature. Petitioner 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 1403 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]