

12-04-2023
Subha
Item no. 58
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

C.R.R 1343 of 2021

Tahir Tashira
-versus-
The State of West Bengal & anr.

Re : An application under Section 482 of the Code of Criminal Procedure.

Mr. Mohinoor Rahaman
Ms. Maria Rahaman

...for the petitioner.

Mr. Madhusudan Sur, Id. APP,
Mr. Dipankar Paramanick

...for the State.

Report submitted by the learned advocate for the State reflects that the chargesheet has been submitted before the jurisdictional court.

Learned advocate appearing for the petitioner submits that the subject matter of challenge was regarding the initiation of the proceedings on the basis of an application under Section 156(3) of the Code of Criminal Procedure wherein the learned Magistrate on a initial date was pleased to call for the report and the police authorities instead of submitting a report reverted back to the court after registration of the case.

Secondly, it has been contended that the allegations made in the application under Section 156(3) of the Cr. P. C do not make out an offence for which a criminal case can be registered or pursued in a court of law.

I have considered the submissions advanced by the learned

advocate for the petitioner as also the changed circumstance particularly the chargesheet which has been submitted before the jurisdictional court.

Having considered the changed circumstances, I am of the opinion that the present revisional application in its form is not maintainable as the subject matter of challenge before this court is restricted to the first information report.

Petitioner would be at liberty to challenge the proceeding in its present form after the chargesheet has been submitted before the jurisdictional court.

With the aforesaid observations, the revisional application being CRR 1343 of 2021 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]