

06.12.2023

Item No.80
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 1475 of 2023

In the matter of : **Dipak Kumar Das** ... Petitioner.

Mr. Arkadyuti Pahari,
Mr. Abdul Kalam ... For the Petitioner.

Ms. Purnima Ghosh ... For the State.

Learned advocate appearing for the petitioner is directed to serve a copy of this revisional application upon Ms. Purnima Ghosh, learned advocate, who ordinarily appears for the State. Her appointment may be regularised by the concerned authorities.

The petitioner has approached this Court challenging the proceedings arising out of Tollygunge Women Police Station Case No. 8 of 2022 dated 24.06.2022. The investigating agency in connection with the instant case, on conclusion of investigation has submitted charge-sheet. In the charge-sheet, six witnesses have been relied upon by the prosecution. None of the documents under Section 207 of the Code of Criminal Procedure have been enclosed along with the revisional application. The petitioner is yet to receive the same.

Having regard to the stage at which the petitioner has approached this Court, I am of the view that the revisional application is premature. The petitioner would be at liberty to take up the issues canvassed in the present revisional application by filing an application under Section 239 of the Code of Criminal Procedure before the jurisdictional trial

court. The learned trial court would consider the same in accordance with law without being influenced by any observations made by this Court.

With the aforesaid observations, the revisional application being CRR 1475 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)