

07-07-2023
Subha
Item no. 69
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1551 of 2023

Prasanta Karmakar
-versus-
The State of West Bengal & Anr.

Mr. Soumik Ganguli
....for the petitioner.

Mr. Ganguli, learned advocate for the petitioner submits that both the courts below failed to appreciate non-compliance of Rule 64 in relation to the verification required under the provisions relating to P.W.D.V Act and the Rules made therein.

I have considered the submissions, non-inclusion in the verification as to whether it prejudices a party or not in such type of social legislation are to be decided on the anvil of the totality of circumstances of the case which can only be appreciated at the end of evidence of a case. Accordingly, the petitioner is granted liberty to canvass such points in course of the trial. The learned trial court would appreciate the same without being influenced by any observations made by this court while disposing of the present revisional application.

With the aforesaid observations, the present revisional application being CRR 1551 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.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

[Tirthankar Ghosh, J]