

D/L49
07.12.2023
Bpg.

C.R.R.1593 of 2023

In Re: A petition under Section 482 of the Code of Criminal Procedure, 1973;

Susant Vyas @ Sushant Vyas and others
Versus
The State of West Bengal and another

Mr. Pratip Mukherjee
Mr. Rahul Agarwal
Mr. Arpit Agarwal.
...for the petitioners.

Mr. Manoranjan Mahata.
...for the State.

Petitioners are directed to serve a copy of the revisional application upon Mr. Mahata, learned advocate, who ordinarily appears on behalf of the State. His appearance may be regularised by the concerned authorities.

Petitioners have challenged the continuance of Lake Town Police Station Case No.126 of 2021 dated 13th June, 2021 which is pending before the learned ACJM, Bidhannagar.

None of the documents under Section 207 of Cr.P.C. have been enclosed in the present revisional application. Having considered the same, I am of the view that the petitioners would be at liberty to canvass the issues advanced in the present revisional application under Section 239 of the Code of Criminal Procedure at the stage when the learned Magistrate considers as to whether charge should be framed in connection with Lake Town Police Station Case No.126 of 2021. No interference is made at this stage. Needless to state that the learned Magistrate would independently

consider the issues without being influenced by any observations made by this Court in this revisional application.

With the aforesaid observations, CRR 1593 of 2023 is disposed of.

Pending connected 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.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)