

08.12.2023

Item No.32
Ct.No.34
dc.

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

C.R.R. 1640 of 2023

In the matter of : **Sri Shibshankar Das @ Amar**
... Petitioner.

Mr. Prodyut Banerjee,
Mr. Pratip Mukherjee,
Mr. Ankit Misra ... For the Petitioner.

Md. Anwar Hossain ... For the State.

Learned advocate appearing for the petitioner is directed to serve copy of this revisional application upon Mr. Anwar Hossain, learned advocate, who ordinarily appears for the State. His appointment may be regularised by the concerned authorities.

Petitioner has challenged the continuance of Gurguripal Police Station Case No. 156 of 2022 dated 11.09.2022 under Sections 341/448/323/354/307/506 of the Indian Penal Code wherein after conclusion of investigation, charge-sheet was submitted under Sections 341/448/323/354/506 of the Indian Penal Code.

I have perused the records which have been enclosed along with the present revisional application and I am of the view that as the documents under Section 207 of the Code of Criminal Procedure are yet to be received by the petitioner, the revisional application itself is premature. The petitioner would be at liberty to take out an application under Section 239 of the Code of Criminal Procedure, if so advised thereby praying for discharge before the learned Magistrate. The learned Magistrate 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 1640 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.)