

D/L35
08.12.2023
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C.R.R.1646 of 2023

In Re: An application under Section 401 read with Section 482 of the
Code of Criminal Procedure, 1973;

Dr. Sukanta Bose and others
Versus
The State of West Bengal and another

Mr. Aniket Mitra.
...for the petitioners.

Petitioners are aggrieved by the fact that the petitioner nos.1 and 2 being permanent citizens of USA have been implicated in the instant case. The other petitioners are the residents of Howrah. Learned advocate submits that the petitioner nos.1 and 2 have never come to this country for the last five years.

Be that as it may, no urgent circumstances have been canvassed for invoking the powers of this Court under Section 482 of the Code of Criminal Procedure. The statutory right is already available under Section 29 of the PWDV Act. Accordingly, the petitioners are granted liberty to approach the jurisdictional appellate court under the relevant provisions of law.

With the aforesaid observations, CRR 1646 of 2023 is disposed of.

Learned appellate court would take into account the pendency of the present revisional application and condone the delay, if any, while preferring an appeal.

Department is directed to return the certified copy to the learned advocate on record after the same is replaced by the

photostat copies.

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.)