

June 5, 2023  
AD – 24  
Ct. 34  
SG

*CRR 1948 of 2022*  
*with*  
*CRAN 1 of 2022*

*Tridib Chakraborty and others*  
*-versus-*  
*Naba Kumar Haldar*

Mr. Sabyasachi Mukherjee  
Mr. Bibek Dey  
Mr. Debarati Choudhury  
Mr. Safiqul Islam  
Mr. Syed Niaz Ahmed

... for the petitioners

Learned advocate for the petitioners submits that there has been a delay of 327 days in preferring the revisional application which was unintentional and beyond the control of the present petitioners.

Having regard to the reasons so assigned, I am of the view that the same are just and sufficient.

Accordingly, CRAN 1 of 2022 is allowed.

The revisional application has been taken up on merits of the case.

I have considered the enclosed documents along with the orders which are appearing in the revisional application.

Learned advocate for the petitioners is aggrieved by the fact that there has been non-compliance of the provisions of Section 202 of Cr.P.C. It would have been fit and proper in the circumstances of the case if learned magistrate would have insisted of further corroboration at

the initial stage but having regard to the fact that the evidence before charge has already commenced, I am not inclined to interfere/stall the proceedings at this stage.

The petitioners have some justified grievance but at the same time stage of the case warrants complainant to adduce its evidence before charge.

The petitioners are granted liberty to canvass the points which have been agitated in the present revisional application at the stage of Section 245 of Cr.P.C.

Learned magistrate at that stage would consider the prayer of the petitioners without being influenced by any observations made by this Court.

With the aforesaid observations, CRR 1948 of 2022 is disposed of.

Pending 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.

**( Tirthankar Ghosh, J. )**

