

D/L83
30.06.2023
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C.R.R.1778 of 2023

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

Kuntal Ghosh and others
Versus
State of West Bengal and another

Ms. Juin Dutta Chakraborty
Ms. Kakali Naskar.
...for the petitioners.

Mr. Tanmay Kumar Ghosh
Ms. Sujata Das.
...for the State.

Learned advocate for the petitioners is directed to serve a copy of the revisional application upon Ms. Sujata Das, learned advocate, who ordinarily appears on behalf of the State. Her appointment may be regularised by the concerned authorities.

Learned advocate for the petitioners has challenged the continuance of Bolpur Police Station Case No.104 of 2022 dated 22.04.2022 wherein charge-sheet was submitted under Sections under Sections 498A/323/325/307/34 of the Indian Penal Code. The enclosures do not reflect that the documents under Section 207 of the Code of Criminal Procedure on the basis of which report under Section 173 of the Code of Criminal Procedure was filed has been received by the petitioners.

Accordingly, I am of the opinion that the revisional application is premature. The petitioners would be at liberty to prefer an application for discharge at the appropriate stage of the trial and only after receiving copies under Section 207 of the Code of

Criminal Procedure before the learned trial court. No interference is made by this Court at this stage and any observations made by this Court while disposing of the revisional application should not be taken into account or the learned Magistrate should not be influenced by the same which is for the limited purposes of disposal of revisional application only.

With the aforesaid observations, CRR 1778 of 2023 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.

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

(Tirthankar Ghosh, J.)