

July 11, 2023
AD – 24
Ct. 34
SG

CRR 2101 of 2022

Saktipada Banerjee and others
-versus-
The State of West Bengal and another

Mr. Sabyasachi Chatterjee
Mr. Akashdeep Mukherjee
Mr. Pritam Chatterjee
Mr. Soumyadeep Nag
Ms. Soumali Das

... for the petitioners.

Petitioners have challenged the continuance of the proceedings arising out of Bishnupur Police Station Case No.82 of 2020 dated 25.08.2020. In this case, charge-sheet has been submitted on completion of investigation under Sections 143/341/323/325/447/186/189/353 of IPC.

I have considered the contentions of the learned advocate for the petitioners that the forest officials tried to encroach upon the said land.

Learned advocate for the petitioners tried to convince by referring to the police report under Section 173 Cr.P.C.

I have perused the same.

Records reflect that the petitioners approached this Court immediately after the report under Section 173 Cr.P.C. has been filed before the jurisdictional court.

Petitioners state that the documents which are in their possession are of sterling quality and is sufficient to rebut the prosecution case.

Petitioners would receive the copies under Section 207 Cr.P.C. on which the prosecution intends to rely upon in this case. Thereafter, if there are any government order, notification, circular and any other order from an appropriate authority which are in the nature of public documents, petitioners would be entitled to produce the same by taking out an application in the nature of Sections 227 and 239 of Cr.P.C.

The learned jurisdictional court would consider the same in accordance with law without being influenced by any observations made by this court while disposing of the revisional application.

With the aforesaid observations, CRR 2101 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.

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

(Tirthankar Ghosh, J.)

