

03-05-2023
Subha
Item no.53
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1685 of 2021

Sk. Rafiqul & Ors.
-versus-
The State of West Bengal & Anr.

Re : An application under Section 482 of the Code of Criminal Procedure.

Mr. Aniket Mitra
Mr. Parashar Baidya

...for the petitioners.

Mr. S. G. Mukherji, Id. PP
Ms. Sreeparna Das
Mrs. Debjani Sahu

....for the State.

Learned advocate appearing for the petitioners submits that they have been implicated in connection with Narayanpur Police Station Case No. 124 of 2020 dated 15.12.2020.

It has been submitted by the learned advocate for the petitioners that the petitioner no. 1 filed a complaint pursuant to which Narayanpur P. S. Case No. 117 of 2020 dated 26.11.2020 was registered for investigation against the complainant of this case along with others.

Learned advocate for the petitioners draws the attention of this court to the date of occurrence which is 25.11.2020 referred to in both the formal FIRs. According to the petitioners both the cases can be referred to as case and counter case.

Ms. Sreeparna Das, learned advocate appearing on behalf of the State has submitted a report. The report reflects that in connection with Narayanpur P. S. Case No. 124 of 2020 chargesheet has been

submitted before the jurisdictional court. In view of the chargesheet being submitted at this stage there is no scope for interference and the subject matter which was challenged related to quashing of the FIR.

Taking into account the submissions so advanced before this court that the cases referred to are case and counter case arising out of the same incident, it is directed that both the cases may be tried by one and the same court in accordance with the principles laid down by the Hon'ble Supreme Court in *Sudhir -vs- State of M. P* reported in (2001) 2 SCC 688.

With the aforesaid observations, the revisional application being CRR 1685 of 2021 is disposed of.

All pending applications, if any, are consequently disposed of.

Report submitted by the IC, Narayanpur PS, BPC through the learned advocate for the State be kept with the record.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]

