

June 8, 2023
AD – 37
Ct. 34
SG

CRR 1984 of 2023

Himadri Shekhar Mandal @ Himadri Mandal
-versus-
The State of West Bengal and another

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick
... for the petitioner

Mr. Tanmay Kumar Ghosh
Mr. Asif Dewan
... for the State

The petitioner has challenged the continuation of Mothabari Police Station Case No.101 of 2017 dated 08.08.2017 wherein charge-sheet was submitted under Sections 147/148/325/435/304 IPC.

The petitioner is directed to serve a copy of the revisional application upon Mr. Ghosh, learned advocate who ordinarily appears on behalf of the State. His appointment may be regularised by the concerned authorities.

Learned advocate for the petitioner submits that there are no allegations against the petitioner. In spite of the same he has been falsely implicated in connection with the instant case.

I have considered the stage of the case wherein charge-sheet has been submitted and there are prima facie involvement of number of persons. At this stage when the documents under Section 207 Cr.P.C. are not available, it

is not possible for any court of law to sift the evidence for ascertaining the complicity of the present petitioner.

No interference is called for on merits of the case.

Learned magistrate would issue harsher process of law in respect of the absconding accused persons and exhaust the process of law and thereafter if required, split up the case and commit the case to the court of sessions for further progress.

With the aforesaid observations, CRR 1984 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.

(Tirthankar Ghosh, J.)

