

14.06.2023

Item No.83

Ct.No.34

Sayandeep

C.R.R. 1989 of 2023

Suman Kalyan Dhara

versus

The State of West Bengal & Anr.

Mr. Soumyajit Das Mahapatra

Ms. Madhurai Sinha

... For the Petitioner.

Mr. R.D. Nandy

Ms. Sonali Das

....for the State

The affidavit-of-service filed in Court today be kept on record.

The petitioner is aggrieved by his application for additional of party in criminal revision No. 65 of 2023 being dismissed. It has been submitted by Mr. Soumyajit Das Mahapatra, learned advocate appearing for the petitioner that the next date in criminal revision No. 65 of 2023 is fixed on 21st June, 2023. The subject matter of the revisional application relate to challenge regarding the report under Section 173(8) of Cr.P.C. which was filed by the defacto complainant after the investigating officer discharged the accused persons holding mistake of facts in connection with Kharagpur P.S. Case No. 377 of 2021. The petitioner in this case was on bail and has been discharged after an investigation is over. Accordingly, the petitioner is a affected party as such he has a right to be heard at the time of consideration of the issue which is to be adjudicated by the learned Additional Sessions Judge, 7th Court, Paschim Medinipur. Accordingly, the petitioner namely, Suman Kalyan Dhara is an added party in criminal revision No. 65 of 2023, the petitioner there in will effect service upon him or his learned advocate and thereafter the revisional application would be heard by the learned

Additional Sessions Judge, 7th Court, Paschim Medinipur. The petitioner is granted liberty to communicate this order to the learned Additional Sessions Judge, 7th Court, Paschim Medinipur.

Accordingly, the order dated 08.05.2023 is set aside.

With the above observations, CRR 1989 of 2023 is allowed.

Pending applications, 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.)