

08-06-2023
Subha
Item no.69
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 2042 of 2023

Anjan Kumar Dey
-versus-
The State of West Bengal & Ors.

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

Mr. Prosenjit Mukherjee
Mr. Arghya Kamal Das
.....for the petitioner.

Mr. Md. Kutubuddin
...for the State.

The petitioner is aggrieved by the manner in which the investigation was conducted in connection with Rampurhat Police Station Case No. 239 of 2104 dated 04.10.2014. According to the learned advocate for the petitioner the charges have been framed under diluted provisions of law and the petitioner is without any justice in view of the fact that neither the Investigating Agency conducted the investigation seriously and no chargesheet was also submitted before the court. Learned court also took cognizance of the offences and thereafter frame charges calling for a list of witnesses from the Public Prosecutor.

Petitioner is directed to serve a copy of the revisional application to Mr. Md. Kutubuddin, learned advocate who ordinarily appears on behalf of the State. His appointment may be regularized by the concerned Authorities in due course.

Having considered that the present was instituted on 4th

October, 2014 and till date not even a single witness has been examined, I direct that after examination and cross-examination of the victim, the learned trial court would grant liberty to the present petitioner to file an application through the learned Public Prosecutor for alteration of charges if the situation so warrants. Learned Magistrate would consider the same in accordance with law after affording all the parties to participate in the hearing of the same.

With the aforesaid observations, the present revisional application being CRR 2042 of 2023 is disposed of.

All Pending applications, if any, are disposed of accordingly.

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]