

15-06-2023
Subha
Item no.38
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
CRR 2107 of 2023

Ashish Dikshit
-versus-
The State of West Bengal & Anr.

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

Mr. Sreemon Bose
Ms. Moumita Das
.....for the petitioner.

Mr. S. G. Mukherji, Id. PP
Mr. Sandip Chakraborty
...for the State.

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

The subject matter of the revisional application relates to quashing of the First Information Report relating to Howrah Women P. S. Case No. 19 of 2018 dated 26.03.2028 wherein the chargesheet was also submitted in the month of June, 2018. The revisional application is not accompanying with the documents under Section 207 of the Code of Criminal Procedure. The case is under Sections 498A/323/406/34 of the Indian Penal Code.

Having regard to the period which has expired in the meantime, I am of the view that if the charge has not been framed, petitioner would be at liberty to take out an appropriate application under Section 239 of the Code of Criminal Procedure before the jurisdictional court. The learned jurisdictional court will consider

the same in accordance with law without being influenced by any observations made by this court.

With the aforesaid observations, the present revisional application being CRR 2107 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]