

15-06-2023
Subha
Item no.43
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 2119 of 2023

Rajib Bhattacharyay
-versus-
State of West Bengal & Anr.

Mr. Debasish Kar

....for the petitioner.

Mr. Madhusudan Sur, Id. APP
Mr. Dipankar Paramanick

....for the State.

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

Mr. Kar, learned advocate for the petitioner submits that the petitioner could not properly canvas his points before the learned trial court while the application under Section 227 of the Code of Criminal Procedure was filed before the learned trial court.

Learned advocate appearing for the petitioner prays for a fresh opportunity for canvassing such points with the documents which have been relied upon by the prosecution to satisfy the court in respect of the factum of abetment as provided under the provisions of Section 306 of the Indian Penal Code. If such a fresh application under Section 227 of the Code of Criminal Procedure is filed by the learned advocate for the petitioner another opportunity be granted to the petitioner to present his case prior to the stage of the consideration of

charges before the learned trial court.

With the aforesaid observations, the present revisional application being CRR 2119 of 2023 is disposed of.

Pending any other applications are disposed of.

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]