

07-07-2023
Subha
Item no. 07
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 2146 of 2023

Mainak Sarkar
-versus-
The State of West Bengal & Ors.

Mr. Rajdeep Majumder
Mr. Anisur Rahaman
....for the petitioner.

Ms. Rita Patra
Ms. P. Das
....for the opposite party no.2.

Mr. Narayan Debnath
Mr. Saswata Chatterjee
Ms. Tanima Debanath
Ms. Mampi Das
...for the opposite party no.3.

Mr. S. G. Mukherji, Id. PP
Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan
...for the State.

Affidavit of service so filed be kept with the record.

The present revisional application was preferred challenging the order dated 03.06.2023 passed by the learned Chief Judicial Magistrate, Murshidabad in connection with an order dated 02.06.23 passed by the learned Additional Chief Judicial Magistrate, Jangipur, Murshidabad in G. R. Case No. 1352 of 2023 arising out of Raghunathganj P. S. Case No. 475 of 2023 dated 01.06.2023 under Sections 341/323/325/307/120B IPC with added Sections 25(i)(a)/27 of the Arms Act.

Learned advocate for either of the parties including the State

has submitted that the investigation of the case is still under progress. As the investigation is being carried out by the State, it would be the prerogative of the State at this stage to be aggrieved if there is any inconvenience. The complainant or the accused cannot have any say at this stage when the investigation is continuing. As such, no interference is called for at the present stage. Petitioner is granted liberty to approach this court after the report under Section 173 of the Code of Criminal Procedure is filed before the appropriate court.

With the aforesaid observations, the present revisional application being CRR 2146 of 2023 is disposed of.

Pending applications, if any, are consequently 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.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

[Tirthankar Ghosh, J]

