

26.07.2023
Serial no. 281
[G.S.D]

CRR 1849 of 2021

In the matter of : Subrata Kumar Rana & Ors.

... .. Petitioners

Mr. Swapan Banerjee
Ms. Purnima Ghosh

... For the State

The present revisional application has been preferred challenging the continuance of Kharagpur P.S. Case No. 12 of 2021 dated 3.6.2021 under Sections 341/354B/323/34 of the Indian Penal Code.

The petitioners are the Railway employees, who have been arraigned as accused persons.

The petitioners approached this Court at a stage when the investigation was continuing.

The Case Diary has been produced by Ms. Purnima Ghosh, Learned Advocate, who appears on behalf of the State.

There are issues relating to facts which have been addressed in the revisional application.

But, I find that there is a medical report in the Case Diary, which reflects the tenderness all over the body of one Gita Besra.

The Case Diary also reflects that on completion of the investigation, charge-sheet has been submitted before the jurisdictional Court under Section 341/354B/323/34 of the Indian Penal Code.

Having regard to the issues, which have been canvassed, the only consideration would be in respect of Section 197 of the Code of Criminal Procedure.

The Learned Magistrate conducting the trial would appreciate in course of the trial, whether the act complained of against the accused persons, would fall within the ambit of Section 197 of Cr.P.C.

So far as the present stage is concerned, I am of the view that no interference is called for from this Court.

The statement of the witnesses including that of the victim do not *prima facie* reflect any interference to be made by this Court.

Accordingly, CRR 1489 of 2021 is dismissed.

Pending application(s), if any, is also dismissed.

Parties to act on a server copy of this order, duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

