

20.07.2023
Serial no. 28
[G.S.D]

CRR 2238 of 2023

In the matter of : Susanta Kumar Das

... .. Petitioner

Mr. Robiul Islam

Mr. Raju Mondal

... For the Petitioner

Earlier on 22.6.2023, liberty was granted to the petitioner to file a Supplementary Affidavit enclosing the documents under Section 207 of the Code of Criminal Procedure.

Learned Advocate appearing on behalf of the petitioner today submits that he has not received the copies of Supplementary Affidavit under Section 207 of the Cr.P.C. and the commitment procedure is yet to take place.

I have perused the charge sheet under Sections 448/323/354/307/506/34 of the IPC.

Having regard to the two sections for which the materials under Section 207 of the Cr.P.C. is required by this Court before any interference is called for under Section 354 of the I.P.C. and Section 307 of the I.P.C. and as the documents under Section 207 of the Cr.P.C. is not enclosed along with the revisional application, I am not inclined to interfere with the prayer advanced in the present revisional application.

The petitioner, however, would be at liberty to take out an application under Section 227 of the Cr.P.C., at the stage of consideration of charges, the Learned Trial Court would consider the prayer in accordance with law without being influenced by any of the observations being made by this Court while disposing of the present revisional application.

With the aforesaid observations, CRR 2238 of 2023 is disposed of.

Pending application(s), if any, is also disposed of.

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.)