

14-07-2023
Subha
Item no. 34
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 2262 of 2023

Ravi T. Sunar & Ors.
-versus-
The State of West Bengal & Anr.

Mr. Biswajit Goswami
....for the petitioners.

Mr. S. G. Mukherji, ld. PP
Mrs. Manasi Roy
.....for the State.

Learned advocate for the petitioners is directed to serve a copy of the revisional application upon Mrs. Manasi Roy, learned advocate, who ordinarily appears before this court on behalf of the State. Her appearance may be regularized by the concerned Authorities in due course.

Petitioners are aggrieved by the continuance of Raniganj P. S. Case No. 155 of 2023 dated 09.04.2023 under Sections 498A/323/341/406/506/34 of the Indian Penal Code and Sections 3 & 4 of the D. P. Act.

The subject matter of the criminal investigation involves alleged offence under Sections 498A/323/341/406/506/34 of the Indian Penal Code and Sections 3 & 4 of the D. P. Act.

Learned advocate has drawn the attention of this court in respect of the other litigation for comparing with the allegation in

the application under Section 156(3) of the Code of Criminal Procedure and tried to impress upon this court regarding the truth attached to the allegations.

Learned advocate submits that the lady has taken different stand in different court and by suppressing the true state of affairs have been successful in jeopardizing the liberty of the petitioners. The same according to the learned advocate is only for the purpose for wrecking vengeance in spite of the fact that the couple had been staying separately for a considerable period of time.

I have considered the submissions advanced on behalf of the learned advocate for the petitioners but from the records it reflect that the investigation is at the nascent stage. There may be truth or falsity in the allegations but the same at this stage are to be assessed by the Investigating Agency and the court as such cannot enter into such domain.

However, having considered the submissions and the claim of the petitioners that there are documents of sterling quality which may dilute the allegations, I grant liberty to the petitioners to forward the documents in their custody and/or their contentions to the Investigating Officer of the case and/or its Superior Officer who would consider regarding the genuinity of the allegations of the complainant as also the facts presented by the accused before the report under Section 173 of the Cr.P.C is filed in the jurisdictional court.

With the aforesaid observations, the revisional application being CRR 2262 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.

[Tirthankar Ghosh, J]