

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction**

CRR 2314 of 2023

In re: An application under Section 482 read with Section 402
of the Code of Criminal Procedure, 1973.

- A n d -

In the matter of : Nemaï Roy

.... Petitioner.

Mr. Kunal Ganguly,
Ms. Madhurima Sarkar,
Mr. Arijit Banik,
Ms. Payal Roy

... For the Petitioner.

Petitioner has challenged the further continuance of Baguihati Police Station Case No.631 of 2021 dated 30-12-2021 wherein charge-sheet was submitted on conclusion of investigation under Sections 420/406 of the Indian Penal Code.

I have considered the contents in the present revisional application and the contentions advanced by learned advocate, appearing for the petitioner, that there had been differences between the parties and out of this, a criminal case was instituted against the petitioner and charge-sheet so submitted in due course. On a scrutiny of the enclosures, I find that only the report under Section 173 of the Code of Criminal Procedure has been submitted and the documents under Section 207 of the Code of Criminal Procedure are not enclosed along with the present revisional application for consideration of this Court. Accordingly, I hold that the revisional application has been preferred at a premature stage. Thus, I grant liberty to the petitioner to approach the learned trial Court by taking out an appropriate application in the nature of Section 239 of the Code of Criminal Procedure, if so

advised. The learned trial Court would consider the contents of such an application without being influenced by any observations made by this Court while disposing of the present revisional application.

With the aforesaid observations, CRR 2314 of 2023 is disposed of. Pending application, if any, is also disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)