

June 6, 2023
AD – 56
Ct. 34
SG

CRR 2456 of 2022

Saikat Biswas
-versus-
The State of West Bengal and another

Mr. Prasanta Kumar Banerjee
Ms. Indrani Nandi
... for the petitioner

Mr. Saswata Gopal Mukherjee, Id. PP
Ms. Debjani Sahu
... for the State

The petitioner is aggrieved by the manner of continuation of Tehatta Police Station Case No.258 of 2018 dated 01.08.2018.

The petitioner is directed to serve a copy of the revisional application upon Ms. Sahu, learned advocate who is assisting learned Public Prosecutor Mr. Mukherjee representing the State.

Learned advocate for the petitioner submits that no financial loss has taken place so far as panchayat is concerned. The petitioner has encashed his demand draft and as such he cannot be held criminally liable. The petitioner has participated in the bid process. The demand draft was drawn in favour of Tehatta-I Panchayat Samity. According to the learned advocate, such draft was cancelled and the amount was withdrawn.

I have considered such submission and the questions of fact, as the charge-sheet reflects the bid confirmation as

also the demand draft was drawn in favour of Tehatta-I Panchayat Samity.

Be that as it may, there are questions of facts involved in the present case and without the trial being conducted, it is not possible for any court of law to come to a conclusion. No interference is called for.

The petitioner would be at liberty to canvass his grievance at the appropriate stage of the trial.

With the aforesaid observations, CRR 2456 of 2022 is disposed of.

Pending application, if any, is consequently disposed of.

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

Learned trial courts are directed to act on server copies of the orders so passed which are downloaded from the official website of the High Court, Calcutta.

(Tirthankar Ghosh, J.)

