

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

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 2544 of 2023

Raj Kumar @ Rajkumar Saha & Ors.
-versus-
The State of West Bengal & Anr.

Ms. Ankita Roy
....for the petitioners.

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan
.....for the State.

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

The present revisional application has been preferred for quashing of the proceedings arising out of Nimta P. S. Case No. 349 of 2022 dated 19.06.2022 under Section 498A of the Indian Penal Code.

I have perused the enclosures of the revisional application and I find that the petitioner has approached this court at a stage immediately on the chargesheet being submitted before the jurisdictional court. None of the documents relating to the documents under Section 207 of the Cr.P.C has been enclosed

along with the revisional application. At least there are four witnesses who have supported the prosecution version.

Records of this revisional application reflect that the charges are yet to be framed before the jurisdictional court. Accordingly, petitioners are granted liberty to prefer an application in the nature of Section 239 of the Code of Criminal Procedure after receipt of the documents under Section 207 of the Code of Criminal Procedure. The learned jurisdictional court will consider such application in accordance with law and not being influenced by any observations made by this court while disposing of the revisional application.

With the aforesaid observations, the revisional application being CRR 2544 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]