

14-07-2023
Subha
Item no. 15
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 2545 of 2023

Jayabrata Das
-versus-
The State of West Bengal & Anr.

Ms. Ankita Roy
....for the petitioner.

Mr. Tanmoy Kumar Ghosh
Mrs. Sujata Das
.....for the State.

Mr. Sabir Ahmed
Mr. Abdur Rakib
...for the opposite party no.2.

Learned advocate for the petitioners is directed to serve a copy of the revisional application upon Mrs. Sujata Das, 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.

The subject matter of the revisional application is a challenge to the continuance of the Panchsayar P. S Case No.16 of 2023 dated 12.06.2023 under Sections 341/323/354D of the Indian Penal Code.

The enclosures to the revisional application reflect that the investigation of the case is still under progress. The crux of the allegations are that the lady was severely assaulted by the present petitioner and is trying to create a fear psychosis. The complainant submitted that the investigation in respect of the present complaint

case is still continuing. The petitioner have some facts to divulge which are contrary to the facts narrated in the FIR. In case the petitioner is of the opinion that the petitioner's contention is also to be investigated, petitioner would be at liberty to inform the Investigating Officer regarding the facts, which he intends to be investigated. However, this court while exercising its jurisdiction under Section 482 of the Code of Criminal Procedure is not empowered to conduct such interference in the investigation which may deter its progress. As such, no interference is called for at this stage. Petitioner would be at liberty to take the issues canvassed in the revisional application by informing the Investigating Officer.

Accordingly, the revisional application being CRR 2545 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]

