

D/L17
17.07.2023

C.R.R.2567 of 2023

Bpg.

In Re: An application under Section 482 of the Code of Criminal Procedure;

Tarakeshwara Rao Bonga and others
Versus
State of West Bengal and another

Md. Ashraf Ali.
...for the petitioners.

Ms. Baisali Basu.
...for the State.

Mr. Ali, learned advocate appearing for the petitioners has challenged the continuance of the proceedings of Kharagpur (Town) Police Station Case No.63 of 2021 dated 05.02.2021. The said case is pending presently before the learned ACJM, Kharagpur, Paschim Medinipur.

Petitioners are directed to serve a copy of the revisional application upon Ms. Baisali Basu, learned advocate, who ordinarily appears on behalf of the State. Her appearance may be regularised by the concerned authorities.

Learned advocate has drawn the attention of this Court to the charge-sheet which has been submitted before the jurisdictional court under Sections 420/406/506/354B/34 of the Indian Penal Code and tried to challenge further continuance of the proceedings.

I have not entered into the merits of the case as the documents under Section 207 of the Code of Criminal Procedure have not been enclosed along with the charge-sheet in the present

revisional application.

Petitioners would be at liberty to take out an application in the nature of Section 239 of the Code of Criminal Procedure before the appropriate trial court after receipt of copies under Section 207 of the Code of Criminal Procedure.

Learned trial court would dispose of the application under Section 239 of the Code of Criminal Procedure independently without being influenced by any observations made by this Court.

With the aforesaid observations, CRR 2567 of 2023 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.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)