

14-06-2023
Subha
Item no.36
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 2768 of 2022

Abdul Ohab Laskar & Ors.
-versus-
State of West Bengal & Anr.

Mr. Pawan Kuamar Gupta
Ms. Sofia Nesar
Mr. Santanu Sett

....for the petitioners.

Ms. Zarin N.Khan
Mr. Md. Kutubuddin

...for the State.

Petitioners are directed to serve a copy of the revisional application upon Mr. Md. Kutubuddin, learned advocate, who ordinarily appears on behalf of the State. His appointment may be regularized by the concerned Authorities in due course.

The subject matter of challenge in this revisional application relates to the order dated 14.03.2022 wherein the petitioners prayed for discharge on certain issues which were rejected by the learned Magistrate. The stage at which such discharge application was filed at that stage the documents under Section 207 of the Code of Criminal Procedure were not available with the petitioner and on limited issues such discharge petition was filed.

Petitioner would be at liberty to take out an application in the nature of Sections 239/227 of the Code of Criminal Procedure at the appropriate stage of the case and after the receipt of the copies and documents under Section 207 of the Code of Criminal Procedure. No interference is made in respect of the order dated 14.03.2022. However, the learned Magistrate would consider the contentions under Sections 239/227 of the Code of Criminal Procedure in its true perspective without

being influenced by any observations made by this court.

With the aforesaid observations, the present revisional application being CRR 2768 of 2022 is disposed of.

. Pending any other applications are 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]