

25.07.2023
Serial no. 1
[G.S.D]

CRR 2673 of 2023

In the matter of : Amrik Singh & Ors.

... .. Petitioners

Dr. Arka Pratim Chowdhury
Ms. Shreya Chakraborty

... For the Petitioners

Ms. Amrita Gaur

... for the State

The petitioners are directed to serve a copy of this revisional application upon Ms. Amita Gaur, Learned Advocate, who ordinarily appears on behalf of the State. Her appearance may be regularised by the concerned authority.

The subject-matter of challenge relates to Andal P.S. Case No. 232 of 2021, wherein charge-sheet has been submitted under Section 498(A), 323, 307, 406, 506 and 34 of the Indian Penal Code.

It is reflected from the records that there are no enclosures in respect of the document on which the prosecution has relied upon to submit its charge-sheet on conclusion of investigation.

This Court, at this stage, is not in a position to assess the facts which have been canvassed by the Learned Advocate appearing for the petitioners.

In view of stage on which the revisional application has been preferred before this Court, I am of the view that the same is premature.

However, the petitioners are granted liberty to canvass the issues which have been advanced in this revisional application after receiving the copies under Section 207 of the Code of Criminal Procedure firstly before the Learned Trial Court at the stage of consideration of charges by taking out an application under Section 239 of the Cr.P.C.

The Learned Trial Court would consider the application on merits without being influenced by any observations made by this Court while disposing of the present revisional application.

Accordingly, CRR 2673 of 2023 is disposed of.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order, duly collected from the official website of the Hon'ble High Court, Calcutta.

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

(Tirthankar Ghosh, J.)