

21-06-2023
Subha
Item no. 41
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 2825 of 2022

Jhuma Ghosh
-versus-
State of West Bengal & Ors.

Mr. Debapratim Guha
Ms. Anchita Sarkar
....for the petitioner.

Mr. S. G. Mukherji, Id. PP
Mrs. Anasuya Sinha
...for the State.

Petitioner is directed to serve a copy of the revisional application upon Mrs. Anasuya Sinha, learned advocate who ordinarily appears on behalf of the State. Her appointment may be regularized by the concerned Authorities in due course.

The grievance of the petitioner is that the learned sessions court/revisional court was pleased to dismiss the Criminal Motion No. 112 of 2022 by rejecting the application under Section 5 of the Limitation Act.

I have considered principal grievance of the petitioner. The petitioner was aggrieved by the order of discharge of an accused, but according to her, he was involved in the offence.

Mr. Guha, learned advocate for the petitioner submits that in the meantime charge has also been framed and the evidence is in progress.

In view of the changed circumstances, I direct that in case the complicity of the discharged accused surfaces in evidence and

in case an application under Section 319 of the Code of Criminal Procedure is preferred at the instance of the de facto complainant or the prosecution, the learned trial court would consider the same in accordance with law.

With the aforesaid observations, the present revisional application being CRR 2825 of 2022 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]