

25.07.2023
Serial no. 8
[G.S.D]

CRR 2680 of 2023

**In the matter of : Rockyuddin Molla @ Rocky @
Rakibuddin Molla**

... .. Petitioner

Mr. Arnab Chatterjee
Mr. Sourav Mukherjee
Ms. Poulami Bose

... For the Petitioner

Learned Advocate appearing for the petitioner has challenged the Judgment and Order dated 25.1.2023 passed by the Learned Additional District & Sessions Judge, 17th Court, Alipore in Criminal Revision No. 39 of 2022 arising out of the Complaint Case, being A.C. No. 2873 of 2019 pending before the Learned ACJM, Alipore.

Mr. Chatterjee has canvassed the issue relating to the contents of the notice, the statutory period required under the Act has been emphasised for non-compliance of the provisions of law while initiating the present proceedings. The Learned ACJM as also the Learned Sessions Court while considering the issues ignored the manner in which the proceedings are progressing before the said Trial Courts.

I have considered the issues which have been canvassed in the present revisional application and I am of the view that the same cannot be summarily appreciated by this Court while exercising its jurisdiction under Section 482 of the Code of Criminal Procedure.

However, the petitioner would be at liberty to canvass such points in course of the trial and at the stage of final arguments of the case.

With the aforesaid observations, CRR 2680 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.)