

20-06-2023
Subha
Item no.53

ct no.34

*IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction*

CRR 2899 of 2022

Sri Indranil Saha & Anr.
-versus-
The State of West Bengal & Anr.

Mr. Niladri Sekhar Ghosh
Ms. Sampurna Chatterjee
Mr. Sourav Mondal
.....for the petitioners.

Mr. Ghosh, learned advocate appearing on behalf of the petitioners submits that the opposite party no. 2 has invoked the provisions of P.W.D.V Act on reasons which were earlier decided under different provisions.

Be that as it may, this court is of the opinion that the provisions of Section 482 of the Code of Criminal Procedure are to be invoked in cases under the provisions of P.W.D.V Act in exceptional circumstances as the said provision provides statutory appeal. The merits of the present revisional application is not gone into.

Petitioners would be at liberty to approach the learned sessions court in appeal under Section 29 of the P.W.D.V Act. The period for which the present revisional application was pending before this court be taken into account in case an application under Section 5 of the Limitation Act is preferred before the learned District and Sessions Judge for condoning the delay in preferring the appeal.

With the aforesaid observations, the present revisional application being CRR 2899 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]