

27.02.2023

Item No.21
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 2349 of 2021

**Prabir Kumar Dhali & Ors.
versus
The State of West Bengal & Anr.**

In Re: An Application under Section 482 read with Section 401 of the Code of Criminal Procedure, 1973.

Mr. Arindam Jana,
Mr. Soumajit Chatterjee ... For the Petitioners.

Mr. S. G. Mukherjee, Ld. P.P.,
Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan ... For the State.

Report dated 23.02.2023 submitted by Mr. Ganguly, learned advocate appearing for the State be kept with the record.

Mr. Ganguly draws the attention of the Court to the statement of the de facto complainant which reflects that she is willing to pursue the present case being Narendrapur Police Station Case No. 203 of 2021 dated 17.02.2021.

I have perused the case diary also. Records of the case reflect that this revisional application was affirmed on 18.11.2021. The subject-matter of this revisional application relates to quashing of the FIR. Case diary also reflects that charge-sheet was submitted before the Court on or about June/July 2021. As such by the time the prayer for quashing of the FIR was prayed, charge-sheet was already submitted before the jurisdictional court. Having considered the same, I am of the opinion that firstly, the revisional application is not maintainable and secondly, the prosecution has collected

materials and thereafter submitted charge-sheet before the jurisdictional court. The learned Magistrate has taken cognizance of the offence. As such, the petitioners would be at liberty to challenge any order after the documents under Section 207 of the Code of Criminal Procedure are handed over or supplied. No interference is called for at this stage. In view of the subject-matter of challenge, which simply relates to the FIR and the backgrounds of the case, the same do not challenge the charge-sheet and the materials collected by the investigating agency.

Consequently the revisional application being CRR 2349 of 2021 is dismissed.

All pending connected applications, if any, are consequently disposed of.

The petitioners would be at liberty to approach this Court after the charge-sheet and the copies under Section 207 of the Code of Criminal Procedure are supplied.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Tirthankar Ghosh, J.)