

D/L104
29.08.2023
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C.R.R.2724 of 2023

In Re: An application under Section 482 of the Criminal Procedure Code, 1973;

Saumitra Khan
Versus
The State of West Bengal and another

Mr. Rajdeep Majumdar
Mr. Sourav Chatterjee
Ms. Koel Mukherjee
Mr. Mayukh Mukherjee
Mr. Anurag Sardar
Mr. M. Murshed
Mr. Sayan Mukherjee.
...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld.P.P.
Mr. Rudradipta Nandy
Mr. Ranabir Roy Chowdhury.
...for the State.

Learned Public Prosecutor at the inception produces the case diary and draws the attention of this Court to the case diary wherein the charge-sheet was submitted on 21st July, 2023. This Court passed directions staying the proceedings on 27th July, 2023 wherein the charge-sheet was not enclosed and the same was not within the knowledge of the petitioner. Learned Public Prosecutor also complains that no copy of the revisional application was served upon his Office and, as such, he was unaware regarding the order dated 27.07.2023.

I have considered the submissions advanced by Mr. Majumder, learned advocate appearing for the petitioner and Mr. Mukherjee, learned Public Prosecutor that this revisional

application was affirmed on 24th July, 2023 which was after the charge-sheet was submitted before the jurisdictional court. Accordingly, the case was not restricted only to the First Information Report but extended to the materials collected by the Investigating Agency and the charge-sheet so submitted.

Having considered the same, I grant liberty to the petitioner to file afresh incorporating the charge-sheet and the accompanying documents, if so advised to challenge the proceedings arising out of Sonamukhi Police Station Case No.68 of 2023.

Petitioner would be at liberty to prefer a fresh application, as directed above.

The present revisional application being CRR 2724 of 2023 is disposed of with the aforesaid directions.

The interim order earlier granted is hereby vacated.

Pending application, if any, is consequently disposed of.

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 of all requisite formalities.

(Tirthankar Ghosh, J.)