

20-06-2023
Subha
Item no.56

ct no.34

*IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction*

CRR 2912 of 2022

Md. Nazrul Islam
-versus-
The State of West Bengal & Anr.

Mr. Nilanjan Bhattacharya
Mr. Koustuv Shome
Mr. Sayan Kanjilal
Ms. Esha Acharya
....for the petitioner.

Mr. Pravas Bhattacharya
Mr. Mirza Firoz Ahmed Begg
....for the State.

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

The subject matter of the revisional application is a challenge to the chargesheet which has been submitted in connection with Baruipur P. S. Case No. 2620 of 2017 dated 11-10-2017 under Sections 420/467/471 of the Indian Penal Code presently pending before the learned Additional Chief Judicial Magistrate, Baruipur, South 24 Parganas.

Learned advocate for the petitioner draws the attention of this court to the documents which have been enclosed and which includes the property, documents, ordersheets and the report under Section 173 of the Investigating Officer. On perusal of the

enclosures, I do not find that the documents under Section 207 of the Code of Criminal Procedure on which the prosecution relies have yet been supplied to the present petitioner. As such, the petitioner is granted liberty to take out an application in the nature of Section 239 of the Code of Criminal Procedure if so advised at the stage of the consideration of charges after receipt of the documents under Section 207 of the Code of Criminal Procedure. The learned trial court on receipt of the same would consider it independently without being influenced by any observations made by this court while disposing of the present revisional application.

With the aforesaid observations, the present revisional application being CRR 2912 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]