

05-09-2023
Item no.113
Subrata
Bhattacharyya

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR No.2961 of 2022
Sri Swapan Maity & Ors.
-vs-
State of West Bengal & Anr.

Mr. Uday Sankar Bhattacharya
Mr. Kashi Nath Mondal
Ms. Sudeshna Basu Thakur
Ms. Banani Bhattacharya ...for the petitioners

Mr. Arijit Ganguly
Mr. Koushik Kundu ... for the State

The petitioners are directed to cause service of a copy of the application under section 482 CrPC upon Mr Koushik Kundu, who usually represents the State. His appearance may be regularised by the concerned authority.

The subject matter of the revision relates to Joypur P.S. Case No.166 of 2021 dated October 24, 2021 under sections 498A/506/34 IPC and sections 3 /4 Dowry Prohibition Act.

Learned advocate representing the petitioners has drawn attention of the court to the statement of the witnesses and submitted that the facts which have been narrated therein are vague. The petitioners are father-in-law and mother-in-law who have been suffering from severe ailments.

Having considered the submission advanced on behalf of the petitioners, I find that so far as the materials appearing in the case records, particularly against the petitioners, it would be appropriate for this court to test the truth or falsehood of the allegations.

As it has been submitted that the parents-in-law of the petitioners are suffering from ailments, I direct that in case the learned counsel appearing in the trial court gives usual undertaking, the

learned trial court would consider their application under section 205/317 CrPC in accordance with law and will not insist on their physical appearance regularly, until and unless the trial of the case cannot proceed without their physical appearance.

No interference is made so far as the merits and the charge-sheet submitted in the instant case are concerned.

With the above observations, CRR No.2961 of 2022 stands disposed of. Pending application, if any, stands also disposed of.

Parties are to act on the server copy of this order duly downloaded from the official website of this court.

Certified copy of this order, if applied for, shall be made available to the parties.

[Tirthankar Ghosh, J]